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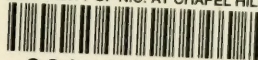


THE COLLECTION OF
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PRESENTED BY

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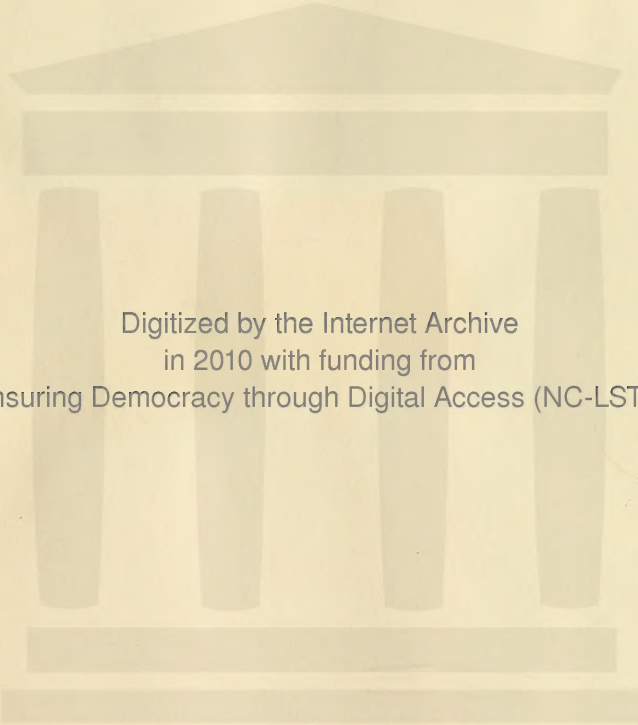
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EXECUTIVE

AND

LEGISLATIVE DOCUMENTS

LAID BEFORE THE

GENERAL ASSEMBLY

OF

NORTH CAROLINA,

SESSION 1869-'70.



RALEIGH:

JO. W. HOLDEN, STATE PRINTER AND BINDER.

1870.

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1896

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Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT,
Raleigh, Nov. 16, 1869.

To the Honorable, the General Assembly of North Carolina :

GENTLEMEN :—I congratulate you on your return to the seat of government, to resume your legislative duties. There is much important business which will claim your attention. You will doubtless proceed to the consideration and dispatch of business in a calm and dispassionate spirit, and with an eye to the good of the whole people of the State. It is made my duty by the Constitution to “give the General Assembly, from time to time, information of the affairs of the State,” and to recommend such measures as I shall deem expedient. I propose to perform this duty in a plain and candid manner, with the assurance in advance that I am prepared at all times zealously to co-operate with you in all measures which you may deem most advisable and most salutary for the State and for our common country.

STATE DEBT AND FINANCES.

The most important subject which can engage your attention is the State debt and finances.

The amount of the State debt on the 1st October, 1869, is as follows: Ante-war bonds, \$8,378,200. Post-war bonds, not special tax, \$8,836,845; making \$17,215,045. The post-war bonds are such as have been issued since the rebellion under funding acts, on such as were authorized by law before the rebellion. This debt is known as the "old debt."

Bonds issued to Rail Road Companies, the payment of the interest on which is provided for by special taxation, are as follows: To the Williamston and Tarborough Rail Road, \$300,000. To the Western Division of the Western North Carolina Rail Road, \$6,367,000. To the Eastern Division of said Road, \$273,000. To the Wilmington, Charlotte and Rutherford Road, \$1,500,000. To the North-Western North Carolina Road, \$1,080,000. To the Western (Coalfield) Road, \$1,320,000. To the Atlantic, Tennessee and Ohio Rail Road, \$1,760,000; making \$12,600,000. Total bonded debt, \$29,815,045. To this may be added of bonds not issued \$4,280,000, making a total of the bonded debt and of bonds to be issued, of \$34,095,045.

The interest on the special tax bonds is being paid. I regret to state that the Treasurer has been unable to meet the interest on the old bonds. It will be necessary to fund the interest due on these bonds, and it is for the General Assembly to decide for what time the interest shall be funded. The fact that the State made an effort to pay this interest and failed, certainly proves a disposition to pay; and the funding, by compounding and increasing the debt, thus adding to the burdens of the people and throwing new bonds on the market to compete with others already sold, will greatly stimulate the disposition which exists to meet this interest.

We are able to pay the interest on the whole of this debt, and those who will come after us will be abundantly able to discharge the principal. The State of Pennsylvania, twenty-five years ago, was as much embarrassed with her debt as we are with ours, and her good name was in danger of being clouded by repudiation. But she met her responsibilities

boldly and in good faith ; her best men united to sustain her credit ; her people submitted cheerfully to the taxation necessary for this purpose ; and the result was her faith was maintained, her great resources were developed, her population increased, her wealth doubled and quadrupled, and now she would not be embarrassed with a debt of one hundred millions. North-Carolina has as many natural resources as Pennsylvania. Our debt has been incurred to improve our condition—that is, in the first place, to commence and continue certain lines of railway, and secondly, to finish these lines, as provided for in the Constitution. The amount thus expended has already been of incalculable benefit to the State. What, if the Wilmington and Weldon Railway had not been constructed ? What, if no Railroad had gone to the sea from Goldsborough ? What, if the Raleigh and Gaston Road had not opened the rich cotton and tobacco region from Wake, Franklin and Granville to Weldon, and thence to Petersburg and Norfolk ? What, if the North-Carolina Railroad had not stretched itself out as a great life-supplying artery from Goldsborough to Charlotte ? Must we pause in our career ? Is not the enterprising City of Wilmington to be placed in connection with Asheville, and thence with the Mississippi valley ? Must our great Western Railroad halt at Swananoa Gap, or at Asheville ? No, gentlemen, *all* our great works must be completed. We must go on. We can not recede. We must pay the interest on our bonds, and thus keeping faith and at the same time putting our bonds at such a figure as they should command, the various Railroad Companies can dispose of those they have in hand, realize the money for them, and press their works to completion.

The present State debt should not, and, I believe, will not be increased. This is the dictate alike of justice and sound policy—justice to our creditors, and sound policy, because to increase the debt would be to oppress the people. But the debt has been honestly contracted ; our bonds have been put on the market ; they have been sold, and we have received

the money for them, and we are bound in every way in which a State can be bound to *pay the debt*. The debt is obligatory under both the old and the new Constitution, and it has been sanctioned, and its payment will be sustained as a sacred duty, by the Supreme Court of the State. Under the Constitution, and under the decision of the Court, which is the highest known to our Constitution and laws, the whole property of the State is held to meet this debt, both new and old. Let us, then, meet it like men and North Carolinians. Let us hear no whisper even of repudiation. Let every citizen of the State resolve that nothing shall be done and nothing omitted which will cast a doubt on our purpose to pay this debt. Compared with many other States we are poor in developed resources and poor in means ; but let this comparative poverty be honorable,—let us not add to it the crime of dishonesty, and, by destroying our good name with our credit, cut ourselves off from all hope of improving our condition. There is great hope for us in the future ; but this hope is based on our integrity as a people, and on our purpose to meet all our obligations, no matter how heavy the burden may seem for the present. Repudiation would not stop with the State debt. It would extend itself to the national debt, to corporation debts, to individual debts and to private contracts. There would be no confidence between man and man. The credit system would be destroyed. The result of all this would be, not only a practical loss to the people of the State of more than the amount of their present debt, but a stigma of reproach and disgrace which would cling for ages to the character of the State.

I invite your special attention to the Report of the State Treasurer, herewith transmitted. I take pleasure in bearing testimony to the able and faithful manner in which this officer has discharged his duties ; and I trust your honorable body will give due weight to his suggestions and recommendations.

I respectfully recommend, first, the most rigid economy in

the public expenditures; and secondly, that the Public Treasurer be relied upon by your honorable body to manage the financial concerns of the State in such manner as he may deem best, under your direction.

PUBLIC INSTRUCTION.

Your attention is invited to the Report of the Superintendent of Public Instruction, with accompanying documents, herewith transmitted. That officer, and his assistant, the Rev. J. W. Hood, have been active, zealous, patient and faithful in their responsible duties, and deserve therefor the thanks of the people of the State.

The system of public schools contemplated by the Constitution, and provided for by law, is nearly ready to go into operation. In most of the Counties the requisite school officers have been elected and qualified. Teachers will be engaged and schools opened whenever Township and County authorities are notified of the apportionment of the school money, which has just been made for the ensuing year by the Superintendent of Public Instruction to the amount of \$165,290.50. A few schools have already commenced. The General Assembly, at its last session, appropriated \$100,000 for school purposes, which sum is to be added to the capitation tax and apportioned among the Counties of the State. The census of 1868, which was taken by the County Commissioners by direction of the Board of Education, shows that the school money must be distributed among 330,581 children. The amount of the capitation tax cannot be determined until the final returns of the Sheriffs on the 1st of next month.

I can not too earnestly urge on the General Assembly the importance of sustaining the free public schools. Every hope for free government depends on the education of the masses. Taxes for such a purpose should be cheerfully paid. This is a subject upon which all can agree. We can all unite in earnest efforts to educate the rising generation, and thus make the

State powerful and respected through the intelligence and general knowledge which will characterize its people.

The Swamp Lands vested in the Board of Education, still remain unsold and unproductive. It is recommended that the Board of Education be authorized to dispose of these lands. If the Board should be authorized to offer them for sale in parcels, or in a body, inquiry concerning them will be stimulated, and advantageous sales may be effected.

The University of the State claims the special attention, and is entitled to the fostering care of the General Assembly. There is now at Chapel Hill a Faculty consisting of a President and four Professors, who are able and experienced teachers. The establishment of Schools or Colleges, implied in the University system, will require the appointment of several additional Professors. A complete University should at once be organized. The Constitution contemplates a University, which is an assemblage of Colleges, and not simply a College; and in such a University every thing should be taught which will fit the students for the varied callings and employments of life.

The Trustees of the University will organize the colored department as rapidly as their means will permit. This department is not only a matter of justice, but of necessity. Our colored fellow-citizens are entitled in proportion to their number to equal consideration in this respect with the whites, and I am sure the General Assembly will make as thorough provision for the former as for the latter.

The proceeds of the land scrip donated by the general government to the State, and given by the State to the University to establish an Agricultural College, have been received by the Trustees and invested in State bonds. The amount invested is \$254,000, which will yield annually \$15,240. This income must be appropriated to a department of Agriculture and the Mechanic Arts, and will not, therefore, afford any support to the University proper. The investment in State

bonds has doubled the fund, which is so much clear gain to the State and to the cause of learning.

The Board of Education, by authority of law, has disposed of its stock in the Wilmington and Weldon Road and the Wilmington and Manchester Road. The amount received for this stock was \$158,000. This amount has also been invested in State bonds, and is now \$454,000, yielding an annual income of \$27,240. The amount originally invested in these Roads, of the deposit money from the general government in 1836, was \$600,000, for and in behalf of the Literary Fund of the State. Under the present Constitution these stocks were vested in the Board of Education; and the amount thus realized for them does not fall very far short of the original investment, while the income is larger and more certain than it was at any period from the corporations referred to.

I can not close this part of my message without earnestly appealing to the General Assembly to aid the Trustees in sustaining the University. This time-honored institution should not, in any event, be neglected. Our young men should be educated at home. To provide for this in a manner every way suitable and proper should be a leading object with the General Assembly, as it is with the Trustees of the institution.

INTERNAL IMPROVEMENTS.

I do not deem it necessary to repeat the views expressed in my last annual message on the subject of internal improvements. The whole people of the State are committed in principle, in interest and in feeling to the various works, whether completed or in course of construction. All the completed works are paying expenses, and one of them, at least, in which the State is largely interested, gives promise of a handsome dividend.

The North Carolina Rail Road, extending from Goldsborough to Charlotte, is the most important work in the State. With the Atlantic Road, from Morehead City to Goldsborough,

and the Western Extension, from Salisbury to Paint Rock, it will constitute a trunk line from one of the finest harbors on our coast to lines of railway connected with the Mississippi valley and the Pacific coast. With the Raleigh and Gaston Road, from Raleigh to Weldon, it will afford the same path for travel and freight from the Pacific coast and the Mississippi valley to Norfolk, and the markets of the world. United with the Wilmington, Charlotte and Rutherford Road at Charlotte, and the latter with the Western Extension at Asheville, a channel of communication will be opened from Wilmington to Asheville and Paint Rock, and thence with the Great West and the Pacific coast, which will benefit immeasurably the region through which these lines will run, and add constantly and permanently to the prosperity and wealth of Wilmington. The Fayetteville or Coalfields Road is on the way to Greensborough, or Salisbury, or some intermediate point on the North Carolina Road; while the Northwestern Road, from Greensborough to Salem and Mount Airy, will in due time pour the rich products of the Yadkin into the North Carolina Road. This latter Road is, indeed, the "*North Carolina Road*." Its management by its President, Mr. Smith, and the Board of Directors, has been able and efficient. Its debt has been reduced, its condition in every respect has been improved, and it is believed it will be able at the next annual meeting of the stockholders to declare a handsome dividend. I doubt the policy of leasing or selling this Road. At a meeting of the stockholders of this Road, held in Raleigh on the 11th instant, to consider propositions to lease it for a term of years, I felt it to be my duty to announce through the State proxy that I was opposed to leasing it to any parties whatsoever. I pursued this course in the absence of instructions from the General Assembly. While your honorable body would have no power to direct a lease against the wishes of the private stockholders, whose rights are secured by the charter, yet any opinion you might be pleased to express in the name of the people on the subject, whether for or against a lease, would have great weight with the Executive and the private stockholders.

THE MILITIA—LAW AND ORDER.

Attention is invited to the Report of the Adjutant General, herewith submitted. This officer has performed his duties faithfully. I trust his suggestions will meet the approval of the General Assembly.

Under the present militia law the Executive is comparatively powerless to enforce the laws. These laws should be amended, so as to give the Executive the authority to embody promptly such a militia force as will enable him to repress violence in certain localities and maintain the peace.

Numerous complaints have been made to me of violence and mob law in certain Counties, by parties who ride at night armed and disguised, and assume the right to regulate neighborhoods by injuring, insulting and punishing inoffensive white and colored persons. There is no safety for any citizen outside the law. The civil law must be maintained. Men who put on disguises, and ride at night and break open houses, and molest, terrify or injure peaceable citizens, should be seized and punished. They are neither good citizens nor honest men. They are ready at any moment to act the part of outlaws and murderers; indeed, by thus disguising themselves and using deadly weapons to execute their purposes, or to sate their feelings of resentment and vengeance on any portion of the people, they proclaim themselves outlaws and enemies to society, and should be dealt with accordingly. Secret political organizations have existed, and will exist always. Whatever we may think of such organizations, or however we may regret the necessity for them, it is not to be expected that we can get rid of them. They are comparatively harmless as long as they are pacific, and do not infringe the rights of others. But when they resolve themselves into military organizations, and take arms, under whatsoever pretext, to regulate neighborhoods and to dispense and execute such law as may be conceived only by themselves, they become dangerous to society, and all good citizens should unite to put them down. In a matter so grave

as this, involving as it does life and property, there should be no party feeling. I can not believe that any party in this State countenances or would uphold these midnight marauders, who go masked like cowards, the better to conceal themselves in their nefarious work and to escape the detection and punishment they deserve. Least of all can I believe that any brave Confederate soldier, who retired from the army and submitted in good faith to the authority of the nation, would unite himself with such men, and thus bring disgrace on himself, his family and friends.

I trust the General Assembly will at once so amend the militia law as to authorize the Governor to call out for active service as many substantial white citizens as may be necessary in an emergency to enforce the law and to put down these midnight marauders. It would not be advisable to employ colored militia only in certain localities for this purpose. The outrages referred to are confined almost exclusively to Counties in which the white and colored populations are about equal in number, or in which the whites have a small majority. To call out the colored militia alone in these Counties would be unjust to the colored race, and would give a pretext for increased exasperation among certain whites against the colored people; but as the law now is, any one who may be ordered to perform service in the Detailed Militia may pay two dollars for exemption therefrom and evade service, thus imposing the burden on volunteers, or on such as can not pay that amount.

It is to be regretted that the army of the United States has been so reduced by the action of Congress that a larger number of federal troops can not be spared at all times for this State. The presence of a regiment of infantry, and four companies of cavalry, stationed at different points, would have a most salutary effect in repressing these outrages and maintaining the peace. It is not doubted, however, that, in an emergency, any number of federal troops that might be required would be promptly furnished. No "war of races," as it is

called, will be permitted in this country. No organized resistance to established authority would for a moment be tolerated. The national government, strong to protect and jealous of the rights and liberties of those who are supremely attached to it, is over all, and would not be slow in an emergency to vindicate its power, and to visit with condign punishment the insubordinate, the treacherous and the guilty.

IMMIGRATION AND AGRICULTURE.

Attention is especially invited to that portion of the Report of the Secretary of State, herewith transmitted, in relation to these subjects.

Every proper and judicious effort should be made by the State to promote immigration. No region of the earth can offer a better climate, or more varied or valuable natural resources than can be found in North-Carolina.

Our agriculture, though it has improved in some respects since the close of the rebellion, is still in a languishing condition. This is a subject of primary importance. I am gratified to state that the late State Fair exhibited decided indications of improvement and advancement in Agriculture and the Mechanic Arts. I trust the General Assembly will liberally foster the State Agricultural Society, and the District and County Societies, as affording the best means to stimulate production of all kinds. With energy, industry, and well-directed labor and economy, we have much to hope for in the future; and if we are true to ourselves, and improve as we should the natural advantages which Providence has bestowed upon us, the day is not distant when the State will be richer, more prosperous and more enlightened than at any former period.

GEOLOGICAL SURVEY.

This survey, by the able State Geologist, Prof. W. C. Kerr, is still progressing in a satisfactory manner. The best inter-

ests of the State require that Prof. Kerr should be encouraged and sustained in this indispensable and valuable work.

THE PENITENTIARY.

The Commissioners appointed for this purpose have chosen a site near the City of Raleigh, which is believed to be every way fit and advantageous, and they are pressing the work with commendable skill, dispatch and economy. It is believed the stockade and the necessary buildings for the officers and convicts will be ready by the first day of January next, at which time the Counties will experience much relief in sending their State prison convicts to the Penitentiary. The report of the Commissioners will show in detail what they have done, and what will be required during the ensuing year to carry on the work.

THE INSANE ASYLUM.

The report of the Superintendent, Dr. Eugene Grissom, will show the condition of this institution. Many important improvements in the machinery, buildings and grounds have been made during the past year. But the institution is crowded with the unfortunate, and there is an urgent claim on the humanity and benevolence of the State for considerable additions to the present buildings, or for another Asylum, to provide for a large number of insane who are now uncared for. Some such provision should be made, but it is for the General Assembly to decide whether additions should be made to the present buildings in Raleigh, or whether another Asylum should be erected elsewhere. I recommend that a liberal appropriation be made for the support of the Asylum for the ensuing year, and also for furnishing that building in a proper manner. I can not too highly commend the Superintendent for the ability and fidelity which he has exhibited in the performance of his duties.

THE DEAF AND DUMB AND BLIND.

It will be seen from the report of the Superintendent, W. J. Palmer, Esq., that this institution is in a prosperous condition. For the session ending June 30, 1869, there were 154 pupils in attendance, 126 white and 28 colored, being an increase of 50 over the previous session. Attention is invited to the report of the Superintendent. His suggestions as to improvements for the better accommodation of these children are entitled to consideration. He has been zealous and indefatigable in the performance of his duties, and should be promptly and liberally sustained in his efforts to educate and improve the condition of those committed to his charge.

BOARD OF PUBLIC CHARITIES.

The Board of Public Charities, consisting of Drs. E. Grisson, William Barrow and G. W. Blacknall, Messrs. G. W. Welker and G. W. Gahagan, has organized by the appointment of Mr. G. W. Welker, President, and W. J. Palmer, Secretary. They are making diligent inquiries into the condition of the prisons and poor houses of the State, and the number of insane, and other afflicted, and at a proper time will present a report to your honorable body.

DEPARTMENT REPORTS.

I transmit herewith the reports of the Auditor, the Superintendent of Public Works, and the Attorney General. These documents contain valuable information and suggestions, to which I invite your attention. These officers, with others referred to elsewhere, have been assiduous and faithful in the discharge of their respective duties.

FEDERAL RELATIONS.

The most cordial relations continue to subsist between the government of the United States and the government of North Carolina.

The administration of President GRANT is receiving the approval of a large majority of the American people. The honesty and economy by which it is characterized, and its success in maintaining the plighted faith of the nation on its bonds, while it is constantly reducing the national debt, entitle it to the special commendation and support of all good citizens.

I regret to state that the fifteenth amendment, under which every man would be entitled to vote in every State, is not yet a part of the Constitution of the United States. This measure of justice will yet prevail. The colored man in Ohio or Illinois should have the same right to vote that the colored man has in North Carolina; and justice will not be done, and the Union will not have been reconstructed on an enduring basis, until this right is secured by the Federal Constitution itself, so as to place it beyond any changes that may occur either in popular opinion or in the administrations of the different State governments.

By the fourteenth amendment to the Constitution of the United States certain persons in the recently insurgent States are debarred the privilege of holding office at the hands of their fellow-citizens; but the Congress may, at pleasure, remove such disability. There are many citizens of States which did not engage in rebellion, who are technically exempt from this disability, but who were not more loyal to the government, and are not now more loyal than many citizens of this State who are only technically excluded from holding office. I am not able to perceive that a citizen of a State that did not engage in rebellion who sympathized with the pretended Confederacy, and did all he could to discourage volunteering and to paralyze the national arms, is more loyal or more deserving of consideration than the Southern Unionist who occupied some

small office, not with a view to aid the rebellion, but merely to escape conscription. There are several thousands of persons in this State of the latter class, who were at one time supremely attached to the national government, and who endeavored in every conceivable way to avoid fighting against the government of the United States, but who are now soured and distressed, because, by the fourteenth amendment the very means they adopted to avoid doing violence to their judgments and consciences have been used to exclude them from office. Every citizen of this class, and every loyal citizen, is entitled to be at once relieved by the Congress. There are several thousands of others in the State, who are either indifferent to the government or opposed to the acts of Congress by which the State was reconstructed. These persons have been sorely punished for their acts of rebellion. Even if disposed to thwart the action of the federal or State governments, they are powerless to do so. They are chafed by the reflection that their former slaves can hold office, while they are excluded, and this reflection is magnified in their minds into the belief that the national government is disposed to pursue and punish them, simply because they had taken an oath to support the Constitution of the United States before they engaged in rebellion, while the obligation to support that instrument was equally binding upon all, and thousands upon thousands who never took that oath, but who were as deeply and as bitterly immersed in the rebellion as they were, are not banned or excluded. The nation can afford to be magnanimous. After nine years of rebellion, and strife, and civil discord, and social disruption and bitterness, a very large majority of the people of North Carolina long for peace, and harmony, and good will, and security for life and property. But this matter is in the hands of Congress. The States have no control over it. Let the nation show its power every where to maintain the laws, to punish those who may resist its authority, and to sustain the reconstructed States in securing to their citizens as thorough freedom, and as profound peace and quiet as exist in

other States ; but let it at the same time exhibit that magnanimity and mercy towards all, which, after nine years of conflict, and strife and ill will, would so admirably grace the freest, the proudest and the greatest people on the face of the earth.

In conclusion, gentlemen, allow me to say that I trust your deliberations will result in good to the whole people of the State. Let our trust be in God, who governs absolutely in the affairs of nations, that He will overrule all our councils for good, and that He will shower his choicest blessings on our beloved State.

W. W. HOLDEN,
Governor

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

AUDITOR'S REPORT.

STATE OF NORTH CAROLINA,
AUDITOR'S DEPARTMENT,
Raleigh, Nov. 13th, 1869.

To His Excellency, W. W. HOLDEN,
Governor of North Carolina:

SIR:—I have the honor of transmitting to you, (together with a few suggestions, &c., which I deem necessary to make to the General Assembly, soon to convene at Raleigh) my annual report, in detail, from this department, of the receipts and disbursements at the Public Treasury of the State of North Carolina, during the fiscal year ending on the 30th day of September, 1869.

Very respectfully,

Your obedient servant,

H. ADAMS,

Auditor of State.

To the General Assembly of North Carolina:

In compliance with the requirements of law I submit the enclosed exhibits of the receipts and expenditures of the Educational Fund and the State government.

VALUATION OF TAXABLE PROPERTY.

I regret that it is impossible to give a statement of the valuation of the taxable property of the State. The returns have not all yet been made and I am informed that the Commissioners of some of the Counties are even now altering the valuations made by the Assessors. This failure has been caused by the time of the return of taxes having been extended to 15th of December. The valuation of property from the few returns made to this office have been very irregular. Different standards of value were adopted, not only in different Counties but even in different Townships of the same County. This is not only unjust in itself but creates dissatisfaction among the people, and therefore seriously hinders the administration of the revenue laws, and should, if possible be corrected. It is impossible to find a perfect remedy, but I am inclined to believe that if the plans adopted in many Western States of having a regular officer to make the assessments, with a salary large enough to secure a first rate man, should be put in force here, the business would be better done than in the present blundering way. This officer should report to the *County Commissioners*, who should equalize the valuations of the several Townships. They should forward an abstract thereof to this department, whereupon a Board, say the Governor, Treasurer, Auditor and Secretary of State, should be charged with the duty of revising and equalizing the valuations of the Counties. In this way the monstrous inequality of one County paying a much larger sum to the State than its neighbor, on exactly the same taxable property, may be obviated.

SPECIFIC TAXES.

The specific or license taxes, contained in schedules B and C, of the revenue act, are often so onerous as to break down the vocations on which they are imposed. This arises from the

fact that the Counties claim and exercise the right to impose additional taxes on subjects which are for State purposes already sufficiently burdened. In this way great injustice is sometimes done. I respectfully recommend that these taxes be revised and in such cases lowered—or, which would be better, let the Counties be confined exclusively to taxation on real and personal property. The General Assembly can thus duly apportion the burdens, and not only will much dissatisfaction be averted but much larger revenues be derived to the Public Treasury.

The Counties never had the right of specific taxation until the late war, and it is believed that no hardship will result from a return to the ancient rule. It would have another effect. The Commissioners having no source of income except from real and personal property, will be much more careful that the valuations are made by the assessors, with due regard to the actual worth of the property.

There are other objections to giving the Counties power to levy license taxes. There is often great confusion as to what is the real tax. Parties desirous of engaging in business, especially those from abroad, are often deceived as to the amount necessary to be paid, because no publication being made of the County levies, it is naturally supposed (and the words of the law apparently warrant the supposition) that the printed law contains the full demand of the revenue collector. Again, there is much more opportunity for dishonest officers to conceal the total amount of their receipts. There is almost no check from public opinion, because the public do not know what has been done in the matter, nor what the officer ought to collect.

TAXES ON PURCHASES, SALES, &C.

Much confusion has resulted from the requirement that merchants and other dealers shall pay license tax on the estimated amount of future purchases. For very many years they paid on their *past purchases*, and I do not think the change has

worked well. It is often impossible for a dealer to make any estimate approaching correctness as to what his future dealings will be. It is true provision is made for making a sworn statement of actual purchases four times a year. But this frequency of returns is not suited to our people—living as they do in a thinly settled country, often at a long distance from the Sheriff's office—and so many varied duties are thrown on these officers, that it is hardly possible for them to make personal demands for such returns. The consequence is, that the original estimate, probably a mere *guess*, widely under the mark, will not be changed.

The confusion is worse, because there was no change made in the mode of taxation of the purchases made by liquor dealers, and others, taxed on their purchases, receipts, &c. No machinery was provided for estimating future purchases by any but "merchants and other dealers," taxed one-fifth of one per cent. They all should pay in the same manner, or else great loss to the revenue will certainly ensue.

If we return to the old mode of taxing merchants, some will probably complain that they, having to pay on purchases prior to April 1st, 1870, will be called on for *two taxes* on the same transaction. The reverse of this complaint was made by Sheriffs last spring, they alleging that by the new method of estimating future purchases, the merchants wrongly escaped taxation on purchases for the year prior to April 1st, 1869. Both objections are founded on a mistake in the object of the law. The levy is a license tax, i. e., for the privilege of doing business as traders. The amount of this license tax is not the same for each trader, but varies according to their supposed ability to pay, and the magnitude of their business. Whether this amount is founded on past or future passages, the trader *pays only one tax*, and has no right to complain.

EXEMPTIONS.

The General Assembly has power to exempt certain speci-

fied articles, the clause of the Constitution in this regard being as follows : "Property belonging to the State, or to municipal corporations, shall be exempt from taxation. The General Assembly may exempt cemeteries, and property held for educational, scientific, literary, charitable or religious purposes ; also wearing apparel, arms for muster, household and kitchen furniture, the mechanical and agricultural implements of mechanics and farmers, libraries and scientific instruments, to a value not exceeding three hundred dollars."

Your honorable body exercised this power to the extent of \$200. I feel bound to report that in my opinion the charitable intent of the Legislature has generally failed to accomplish its object, while it has lost large sums to the Treasury.

Poor men have so small an amount of the exempted articles that their relief is quite too inconsiderable. But very many men have under this \$200 exemption law, been relieved to the extent of \$500 or \$1,000. I firmly believe that it would be best either to have no exemption at all, or be reduced to \$50. Thus the rule would more universally apply, "each man pay according to what he is worth," be it much or be it little. Whenever this rule is departed from, under the plea of relieving the poor man, a wide door is opened to intentional and unintentional defrauding the revenue.

FARM PRODUCTS.

The question was very much agitated among the people whether farm products, provisions, &c., are to be taxed. The State Treasurer's instructions on this subject were disregarded in some Counties, when the Constitution expressly commands the General Assembly to levy a tax on all "real and personal property in the State according to its true value in money," and when the only exemptions are specified, farm products not being included in this list, it seems difficult to avoid the conclusion that they cannot be exempted.

The General Assembly may, if they choose, levy a tax on *incomes*. If they do, they must not include as part of the income profits derived from property taxed. Farm products are not liable to the income tax, but they are to the property tax. This is my understanding of the Constitution and of the act of the Assembly passed in pursuance thereof, and unless directed otherwise by your honorable body, I will so instruct the revenue officers.

The outcry against this construction of the Constitution arises from the persistent effort of men to avoid paying in proportion to what they are worth.

If the General Assembly should yield to this clamor, there would be no stoppage of it. For example, it is impossible to find any plausible ground for exempting provisions, &c., of mechanics and others who have no farms. They would justly complain of the discrimination. We launch into unknown troubles when we depart from the letter of the Constitution.

INSURANCE COMPANIES.

I respectfully recommend either that the tax on Insurance Companies incorporated out of the State shall be diminished, or else that they be withdrawn from County taxation. The present, with County tax added, is oppressive and has driven some good companies from the State.

TAX RECEIPTS.

As said above, all the Counties of the State have not yet made returns of their abstracts to this Department while still fewer returns of unlisted taxables have been made. 22 Counties taken at random give poll taxes \$39,131, other listed taxables \$15,086, for general purposes, not including special taxes for Rail Road purposes. If these are average Counties, these figures would indicate about \$150,000 poll taxes, and \$550,000 taxes from listed taxables. Counting listed and unlisted tax-

ables, I think the revenue from both sources will be about \$750,000 to \$800,000. On the same principle the special taxes will be about \$600,000. I am inclined to think that the above indicated 22 Counties are somewhat above the average.

Respectfully, &c.,

H. ADAMS,
State Auditor.

Auditor's Statement for the Fiscal

GENERAL STATEMENT.

Balance in hands of Public Treasurer, October 1st, 1868,			\$ 150,035 84
Receipts of Educational Fund for fiscal year ending September 30th, 1869,	\$ 169,870 42		
Receipts of Public Fund for fiscal year ending September 30th, 1869,	8,550,877 62	8,720,748 04	
		8,870,783 88	
Disbursements of Educational Fund for fiscal year ending September 30th, 1869,	167,158 18		
Disbursements of Public Fund for fiscal year ending September 30th, 1869,	8,687,428 97	8,854,587 15	
Leaving in hands of Public Treasurer, October 1st, 1869,		\$16,196 73	

Year ending Sept. 30th, 1869.

RECEIPTS AND DISBURSEMENTS

Of Educational Fund for Fiscal Year ending Sep. 30th, 1869.

		RECEIPTS.	DISBURSEMENTS.
1868.	October,	\$ 2,775 51	\$ 24
	November,	556 50	37
	December,	94 16	153
1869.	January,	2,150 69	1,119
	February,	359 34	
	March,	282 22	1,122 16
	April,	158,300	161,232 70
	May,	3,328 15	
	June,	23 89	3,247 32
	July,	556 47	
	August,	686 59	123
	September,	756 90	100
		\$ 169,870 42	\$ 167,158 18

Auditor's Statement for the Fiscal

STATEMENT A.

EDUCATIONAL FUND RECEIPTS,

Exhibiting the several sources from which the receipts of the Educational Fund were derived.

Auction Tax,	\$	130	98
Cape Fear Navigation Company,		3,250	
Entries of Vacant Lands,		990	80
Fines, penalties and forfeitures,		1,469	89
Retailers' tax,		4,026	75
Sale of White Marsh Swamp,		2,090	
Wilmington & Weldon Rail Road,		148,000	
Wilmington & Manchester Rail Road,		10,000	
Refunded,		2	
		\$169,810	42

DETAILED AS FOLLOWS :

1868.			
Oct.	Sundry persons on account of entries of vacant land :		
	John Mace, Burke County,	\$	6 12
	A. L. Quinn and W. A. Hollifield, McDowell County,		2
	Henry Sherlin, McDowell County,		9 25
	The following Sheriffs, tax on Auctioneers:		
	E. F. Cox, Sheriff of Lenoir County,		21 21
	Battle Bryan, Sheriff of Edgecombe Co.,		8 18
	Sundry Sheriffs, tax on retailers of spirituous liquors as follows :		
	G. J. Williams, Sheriff of Chatham Co.,		150
	A. R. Dennison, Sheriff of Craven		120
	B. F. Willey, Sheriff of Gates		100
	Wm. Latham, Sheriff of Ashe		50
	K. H. Worthy, Sheriff of Moore		50
	G. W. Wilson, Sheriff of Transylvania		50

Year ending Sept. 30th, 1869.

1869.		
Oct.	J. I. Moore, Sheriff of Granville County,	250
	N. B. Hampton, Sheriff of Polk “	6 75
	J. T. Patterson, Sheriff of Burke “	100
	M. Spainhower, Tax Collector Burke “	100
	R. F. Trogden, Sheriff of Randolph “	150
	Battle Bryan, Sheriff of Edgecombe “	350
	P. C. Riley, Sheriff of Montgomery “	50
	J. A. Sowers, Sheriff of Davidson “	50
	J. A. Reid, Sheriff of Halifax “	300
	S. T. Carrow, Sheriff of Beaufort “	300
	J. C. Rhodes, Sheriff of Wayne “	300
	B. A. Howell, Sheriff of Robeson “	250
	S. S. Ashley, Supt. Public Instruction, amount overcharged in account of T. H. Allen, Agent, &c.,	2
Nov.	W. E. Gore, Columbus County, on account of entry of vacant land,	6 50
	The following Sheriff's, tax on Retailers Spirituuous Liquors,	
	J. W. Hayes, Sheriff of Wilkes County,	50
	John Reilly, Sheriff of Cumberland County,	500
Dec.	Sundry persons, on account of Entries of Vacant Land, as follows:	
	Duncan McCall, Cumberland County,	10 40
	John Colbert, Rutherford “	4
	David Sellers, Johnston “	2 12
	J. K. Hawkins, McDowell “	6 25
	J. M. Jones, Buncombe “	1
	W. C. Everett, Beaufort “	1 87
	Johnson Perkins, Ashe “	1 87
	J. B. Miller, Ashe “	4 12
	Stephen Pennington, Ashe “	7
	Jacob Sweets, Ashe “	1 75
	Geo. W. Hendrick, Wilkes “	2 36
	Geo. W. Hendrick, “ “	88
	Geo. W. Hendrick, “ “	3 75
	William Osborn, Ashe “	9 75
	Isaac Trinstaff, Mitchell “	12 55
	Geo. W. Hendrick, Wilkes “	2 36
	Robert M. Wilson, Gaston “	1 75
	W. B. Green, Montgomery “	1 75

Auditor's Report for the Fiscal

1868.			
Dec.	J. G. Scott, Onslow	"	\$ 6 75
	J. K. Neal and Albert Conly, McDowell		
	County,		3 63
	J. K. Hawkins, McDowell	County,	7 50
	E. G. Hill, Sheriff of Johnston County, on		
	account of Auction Tax,		80
1869.			
Jan.	Sundry persons, on account of Entries of		
	Vacant Land, as follows :		
	W. R. Covington, Richmond	County,	12 50
	John H. Greenlee, McDowell	"	6 25
	A. M. McQueen,	"	12 50
	J. R. Kerley, Alexander	"	9 38
	Lewis Shepperd, Wilkes	"	7 25
	Josiah Mausbey, Columbus	"	34 50
	J. L. Estes, Burke	"	4 13
	B. M. Collins, Burke	"	5 75
	A. J. Carman, Watauga	"	9 38
	M. Rowland,	"	5
	John Ellis, Mitchell	"	2 63
	R. T. Lenoir, Caldwell	"	12 25
	Edwin Legg, Brunswick	"	75
	D. E. Horton, Wilkes	"	1 62
	Wm. A. Gillis, Richmond	"	1 62
	G. W. Gibson and T. T. Eppes, McDowell		
	County,		6 25
	A. Triplett, Wilkes	County,	9 37
	D. H. Melton, Rutherford	"	9 25
	John Barringer, Chatham	"	31
	W. W. Holden, President State Board of		
	Education, as proceeds of sale of White		
	Marsh Swamp, in the County of Co-		
	lumbus,		2,000
Feb.	Sundry persons, on account of Entries of		
	Vacant Land, as follows :		
	D. B. McDugald, Moore	County,	1 81
	N. Huffman and others, Burke	"	7 50
	Duncan McCormick, Cumberland	"	44 55
	W. H. Logan, Rutherford	"	6
	G. O. and G. Clayton, Transylvania	"	80
	T. D. Snead, Johnston	"	2 25

Year ending Sept. 30th, 1869.

1869.			
Feb.	Wm. Cochran, Polk,	County, \$	11 75
	Thos. Hemphill, McDowell	"	4 87
	J. H. Parker, Alleghany,	"	5 62
	Richard Edwards, Alleghany	"	6 43
	H. M. Crouse,	"	1 50
	D. McLeod and J. McArthur,	Harnett	
	County,		4 37
	Tilman Blalock, Mitchell	County,	6 25
	S. M. Howard, McDowell	"	1 44
	John Reed, Transylvania	"	12 50
	J. Freeman, Harrison Freeman and Alex.		
	Hogan, Montgomery	County,	6 25
	John Clanton, Wilkes	"	6 25
	W. L. Edwards, Sheriff of Greene County,		
	for Tax on Retailers of Spirituous		
	Liquors,		50
	E. Murrell, Sheriff of Onslow County, for		
	Tax on Retailers of Spirituous Liquors,		150
March	Sundry persons, on account of Entries of		
	Vacant Land, as follows :		
	James Cox, McDowell	County,	4 50
	John Hollen, McDowell	"	4
	Thos. Wallace, Gaston	"	53
	Wm. B. Ford,	"	94
	John M. Mace, Mitchell	"	59
	Aaron Barnes, Alexander	"	2 12
	R. Fisher, Bladen	"	12 50
	D. A. Rowe, Mitchell	"	6 25
	J. L. Wood, Sheriff of Pasquotank County,		
	for Tax on Retailers of Spirituous		
	Liquors		150
	J. W. Schenck, Jr., Sheriff of New Han-		
	over County, for Tax on Auctioneers,		100 79
April.	Sundry persons, on account of Entries of		
	Vacant Land, as follows :		
	Henry Dossett, Stokes	County,	5 38
	Duncan Chesnutt, Sampson	"	1 62
	W. W. Cole, Moore	"	69
	H. P. Whitehurst, Craven	"	8
	M. Greenlee, McDowell	"	5 25
	K. H. Worthy, Moore	"	93

Auditor's Report for the Fiscal

1869.			
April.	Allen Clark, Ashe	County, \$	6 82
	T. W. Reynolds, Ashe	"	2 75
	John Badget, Snrry	"	12 50
	A. Williams, Alleghany	"	3 31
	W. Cook, McDowell	"	5
	S. W. Brooks, Alleghany	"	12 50
	Geo. W. Dugger and Wm. Jenkins, Mitchell County,		33
	Perry Dillinger, Watauga	County,	7 50
	Lewis Banner, Mitchell	"	15 90
	Elisha Tribet, Watauga	"	2 75
	James M. Green, Watauga	"	2
	Cyrus Culver, "	"	16 50
	Sidney Lail, Burke	"	12 50
	William Murdock, Rowan	"	10
	Andrew Austin, Ashe	"	12 50
	Washington Trammie, Transylvania	"	12 50
	G. H. Moore, "	"	12 50
	Robert Baldwin, Columbus	"	7 50
	Wilmington and Weldon Rail Road Company, in full for sale of stock owned by "Board of Education of the State of North Carolina," in said Company,		148,000
	Wilmington and Manchester Rail Road Company, in full of sale of stock owned by "Board of Education of the State of North Carolina," in said Company,		10,000
	Jesse Sumner, Sheriff of Buncombe County, Tax on Retailers of Spirituous Liquors,		100
May.	Sundry persons, on account of Entries of Vacant Land, as follows :		
	John C. Sorrell, Harnett	County,	21 75
	Thos. A. Hegeman, Watauga	"	3 13
	B. Huffman, Burke	"	9 37
	Benj. Walker, Burke	"	19 50
	Alston Brewer, Moore	"	18
	Jas. K. Hendrix, Wilkes	"	5 63
	A. J. Taylor, Cabarrus	"	59
	J. K. Hawkins, McDowell	"	7 50
	E. D. Estes, Caldwell	"	10 50

Year ending 30th Sept., 1869.

1869.			
May.	Received of Gov. W. W. Holden, President of Board of Education, amount received by him in payment in full of stock owned by Board of Education in Cape Fear Navigation Company,	\$	3,250
June.	Sundry persons, on account of vacant lands, as follows:		
	J. A. Lunsford, Person County,		5 27
	Wm. McCurry, McDowell "		1 87
	J. B. Sanders, McDowell "		10
	Daniel Hollen, McDowell "		50
	John Ross, McDowell "		6 25
July.	John Ross, McDowell "		12 50
	Jas. A. McDonald, Moore "		2 50
	J. J. Cogburne, Henderson "		21
	John Garner, Davidson "		1 53
	Daniel Western, Mitchell "		5
	J. M. Estes, Caldwell, "		6 25
	T. A. Ragland, Clerk of Superior Court, Rockingham County, for fines, penalties and forfeitures,		207 69
	Samuel T. Carrow, Sheriff of Beaufort County, tax on Retailers of Spirituous Liquors,		300
Aug.	Sundry persons on account of Entries of vacant lands, as follows:		
	S. E. Mace, McDowell County,		15
	Josiah Mace, McDowell "		15
	John Haney, McDowell "		2 75
	John Hutchins, Rutherford "		7 25
	S. J. Moore, Rutherford "		3 12
	Wm. Scoggins, Rutherford "		2 50
	Wm. Scoggins, Rutherford "		2
	T. B. Carlton, Rutherfordton, "		3 25
	J. A. Teague for W. L. Teague Caldwell County,		12 38
	Leland Martin, Wilkes County,		2 05
	Thomas Vail, Washington "		4 37
	Thomas S. Powell, Jackson "		12 50
	Sundry Superior Court Clerks on account		

Auditor's Report of the Fiscal

1869.	of fines, penalties and forfeitures, as follows:		
Aug.	N. R. Odom, Clerk Superior Court Northampton County,	\$	54 05
	J. Jenkins, Clerk Superior Court Cleveland County,		50
	W. G. Curtis, Clerk Superior Court Brunswick County,		16
	E. A. Osborne, Clerk Superior Court Mecklenburg County,		47
	James Rumley, Clerk Superior Court Carteret County,		75
	E. A. Withers, Clerk Superior Court Gaston County,		20
	H. F. Brandon, Clerk Superior Court Caswell County,		10
	J. A. Martin, Clerk Superior Court Yadkin County,		40
	Jno. Norfleet, Clerk Superior Court Edgecombe County,		50
	Abraham Clapp, Clerk Superior Court Guilford County,		105
	S. P. Sherrill, Clerk Superior Court, Lincoln County,		25
	Eli Spruill, Clerk Superior Court Tyrrell County,		50
	J. A. Long, Clerk Superior Court Rockingham County,		2
	W. R. Skinner, Clerk Superior Court Chowan County,		15 37
	S. Harrell, Clerk Superior Court Hertford County,		25
	J. C. Griffith, Clerk Superior Court Caswell County,		20
Sept.	Sundry persons on account of Entries of Vacant Lands, as follows:		
	Leroy Helms, Union County,		8 37
	Uriah Staton, Anson "		2
	James W. Galloway, Transylvania "		12 50
	R. W. Tatom, Bladen "		12 50
	John W. Cain, Bladen "		12 50

Year ending 30th Sept., 1869.

1869. Sept.	A. H. Cain, Bladen	County,	\$	45	00
	A. A. McKethan, Cumberland	"		6	25
	Clerks of Superior Court of sundry Counties on account of Fines, Penalties and Forfeitures, as follows:				
	J. M. Patrick, Greene	County,		20	
	S. E. Belk, Treasurer, Mecklenburg	"		374	28
	C. M. Pace, Henderson	"		21	
	J. E. Reid, Buncombe	"		45	
	John A. McDonald, Cabarrus,	"		197	

Auditor's Report for the Fiscal

STATEMENT B.

EDUCATIONAL FUND DISBURSEMENTS,

Showing the different purposes for which the Disbursements of the Educational Fund were made.

Expense Account,	\$ 6,158	18
Loan to University of North Carolina,	3,000	
State Loans,	158,000	
	<hr/>	<hr/>
	\$ 167,158	18

DETAILED AS FOLLOWS:

1868.		
Oct.	Paid G. Z. French, Trustee, &c., for advertising one-half colum circular of Superintendent Public Instruction and orders of the Board of Education, two times,	\$ 24
Nov.	Asheville Pioneer, for advertising circular of Superintendent Public Instruction,	12
	Newbern Republican, for advertising circular Superintend'nt Public Instruction,	25
Dec.	J. B. Carpenter, Editor Rutherford Star, for advertising circular Superintendent Public Instruction, and orders of the Board of Education,	18
	Rev. J. W. Hood, his salary as Agent of the Board of Education, for the month of December, 1868,	100
	C. L. Harris, for expenses incurred in visiting and examining White Marsh swamp in Columbus County,	35
1869.		
Jan.	E. G. Haywood, Attorney, his fee as counsel in the case of the Board of Education	

Year ending Sept. 30th, 1869.

1869.	and the Bank of North Carolina, as per order of the Board,	\$ 1,000	
Jan.	C. L. Harris, Superintend't Public Works, for making deed of White Marsh swamp, and stamps used for same,		7
	G. Z. French, Trustee, Wilmington Post, for advertising swamp land in Robeson and Bladen Counties,		12
	J. W. Hood, his salary for the month of January, 1869, as Agent of Board of Education and Assistant Superintendent Public Instruction,	100	
March.	J. W. Hood, his salary for the month of February, 1869, as agent of the Board of Education,	100	
	S. S. Ashley, Superintendent Public Instruction, for advertising the sale of Rail Road stock in Wilmington Post, Baltimore Sun, Philadelphia Press and New York Journal of Commerce,	22	16
	Thos. H. Allen, Surveyor, for surveying and making map of White Oak Swamp,	1,000	
April.	J. W. Hood, Agent of the Board of Education, one months' salary,	100	
	C. L. Harris, Superintend't Public Works, for the payment of bill for keeping horse by Wm. Forry, at Newbern,		2 70
	Hon. R. W. Lassiter, Treasurer, for a loan to the University of North Carolina, as voted by the Board of Education for which certain bonds are held as "collateral" by the Secretary of the Board of Education,	3,000	
	J. W. Hood, Agent of the Board of Education, his salary for the month of April, 1869,	100	
	Wm. Simpson, of Raleigh, for tracing a copy of map of White Oak Swamp,		30
	D. A. Jenkins, Treasurer of the State of North Carolina, being amount borrowed		

Auditor's Report for the Fiscal

1869.	of the Board of Education, to meet State liabilities,	\$158,000
June.	J. W. Hood, Agent of Board of Education, as salary for the month of May, 1869,	125
	Hon. R. W. Lassiter, Secretary and Treasurer University of North Carolina, for loan ordered by the Board of Education on April 12, 1869,	3,000
	S. S. Ashley, Secretary of the Board of Education, for the payment of advertising in Newbern Times, also for telegraphing on account of Rail Road stock,	22 32
	Rev. J. W. Hood, on account of salary as Agent of Board of Education,	100
Aug.	J. B. Neathery & Co., for advertising,	23
	Rev. J. W. Hood, Agent for Board of Education, his salary for the month of July, 1869,	100
Sept.	Rev. J. W. Hood, Agent for Board of Education, salary for the month of August, 1869,	100

Year ending 30th Sept., 1869.

RECEIPTS AND DISBURSEMENTS

Of Public Fund for Fiscal Year Ending Sept. 30th, 1869.

		RECEIPTS.		DISBURSEMENTS.	
1868.	October,	\$	107,029 31	\$	116,872 38
	November,		228,478 08		248,850 50
	December,		6,721 63		104,404 24
1869.	January,		27,478 79		46,531 02
	February,		13,543 19		11,733 02
	March,		18,315 42		12,773 17
	April,		267,944 78		184,821 08
	May,		351,947 22		370,325 64
	June,		3,471,224 15		3,504,038 59
	July,		4,033,923 81		4,043,368 70
	August,		14,421 24		23,829 17
	September,		9,850		19,881 46
		\$	8,550,877 62	\$	8,687,428 97

Much the larger proportions of these receipts and expenditures are on account of subscriptions to Rail Road Companies, &c., where no money actually passed.

Auditor's Report for the Fiscal

STATEMENT C.

PUBLIC FUND RECEIPTS,

*Exhibiting the several sources from which the receipts of
Public Fund were derived.*

Accrued interest on State coupon bonds,	\$ 13,637 50
Constitutional Convention tax,	29,768 77
Executive Mansion,	4,451 44
Taxes for indigent patients in Insane Asylum,	18,312 75
Taxes for indigent pupils in Institution for the Deaf Dumb and the Blind,	2,625 00
Pay patients in Insane Asylum,	680
Public Taxes,	192,869 91
Navigation dividends,	300
Sales of N. C. R. R. bonds,	117,600
State Loans,	258,000
State coupon bonds,	343,133 33
State coupon bonds (Rail Road Com- panies),	3,462,500
State coupon bonds, (Penitentiary),	100,756 95
Sales of State property,	10
Tax on insurance companies,	4,354 84
Tax on Attorneys' licenses,	242 25
Tax on seals,	227
Tax on corporations,	369 50
Tax on National Bank Dividends,	701 18
Western N. C. R. R. Company,	4,000,000
Weights and measures,	337 50
	<hr/>
	\$ 8,550,877 62

Year ending 30th Sept., 1869.

DETAILED AS FOLLOWS :

1868.			
Oct.	McKim & Co., for accrued interest on State Coupon Bonds, (funding act,)	\$	151 67
	Whitehurst & Co., for accrued interest on State Coupon Bonds, (funding act,)		152 50
	C. W. Horner, Treasurer Insane Asylum of North Carolina, amount received by him in August and September, 1868, for board of Pay Patients in said Asylum,		225
	Sundry Sheriffs, on account of Public Tax, as follows :		
	John Horton, Sheriff Watauga Co		661 90
	Geo. Nicks, " Yadkin "		1,421 21
	G. J. Williams, " Chatham "		2,717 88
	A. R. Dennison, " Craven "		4,602 93
	J. R. Grady, " Harnett "		1,086 85
	J. M. Bateman, " Wash'gton "		1,330 09
	C. C. Vest, " Cherokee "		766 75
	E. F. Cox, " Lenoir "		2,804 18
	B. F. Willey, " Gates "		1,248 24
	Wm. Latham, " Ashe "		1,088 05
	K. H. Worthy, " Moore "		1,640 46
	G. W. Wilson, " Transylva. "		664 66
	N. G. Grandy, " Camden "		1,013 06
	J. I. Moore, " Granville "		5,017 48
	J. B. Watson, " Hyde "		1,830 14
	N. B. Hampton, " Polk "		519 11
	J. T. Patterson, " Burke "		1,399 43
	M. Spaulhour, Tax Collector Burke "		115 64
	G. W. Willoughby, Sheriff Anson "		2,202 35
	R. F. Trogden, " Randolph "		2,956 09
	Battle Bryan, " Edgecombe "		8,336 64
	P. C. Riley, " Montg'ry "		1,060 54
	T. F. Baxter, " Currituck "		1,342 21
	Henry White, " Perquim's "		1,776 28
	J. A. Sowers, " Davidson "		3,164 49
	J. A. Reid, " Halifax "		4,977 22
	H. G. Terry, " Richmond "		1,924 12

Auditor's Report for the Fiscal

1868.						
Oct.	Lewis Bond,	Sheriff	Bertie	Co..	\$	3,077 42
	S. T. Carrow,	"	Beaufort	"		2,893 84
	J. C. Rhodes,	"	Wayne	"		3,615
	John Patterson,	"	Clay	"		290 34
	B. A. Howell,	"	Robeson	"		2,814 40
	McKim & Co., for State coupon bonds, issued under funding act,					1,000
	Whitehouse & Co., for State coupon bonds, issued under funding act,					1,000
	Sundry Sheriffs for tax levied to pay ex- penses of Constitutional Convention, as follows :					
	John Horton,	Sheriff	Watauga	Co.		195 03
	Geo. Nicks,	"	Yadkin	"		439 49
	G. J. Williams,	"	Chatham	"		959 67
	A. R. Dennison,	"	Craven	"		749 57
	J. R. Grady,	"	Harnett	"		319 29
	J. M. Bateman,	"	Washg'ton	"		377 25
	C. C. Vest,	"	Cherokee	"		225 47
	E. F. Cox,	"	Lenoir	"		617 14
	B. F. Willey,	"	Gates	"		402 18
	Wm. Latham,	"	Ashe	"		304 59
	K. H. Worthy,	"	Moore	"		487 26
	G. W. Wilson,	"	Transylva.	"		211 41
	N. G. Grandy,	"	Camden	"		292 93
	J. I. Moore,	"	Granville	"		1,695 39
	J. B. Watson,	"	Hyde	"		465 99
	N. B. Hampton,	"	Polk	"		225 17
	J. T. Patterson,	"	Burke	"		417 70
	G. W. Willoughby,	"	Anson	"		768 93
	R. F. Trogden,	"	Randolph	"		999 86
	Battle Bryan,	"	Edgecombe	"		1,817 01
	P. C. Riley,	"	Montg'ry	"		277 14
	T. F. Baxter,	"	Currituck	"		266 06
	Henry White,	"	Perquim'ns	"		544 83
	J. A. Sowers,	"	Davidson	"		1,027 91
	J. A. Reid,	"	Halifax	"		1,505 49
	H. G. Terry,	"	Richmond	"		568 24
	Lewis Bond,	"	Bertie	"		858 12
	S. T. Carrow,	"	Beaufort	"		613 14
	J. C. Rhodes,	"	Wayne	"		985 07

Year ending Sept. 30th, 1869.

1869.			
Oct.	John Patterson, Sheriff Clay Co.,	\$	71 06
	B. A. Howell, " Robeson "		796 99
	Sundry Sheriffs, tax on board of Indigent Patients in Insane Asylum, as follows :		
	John Horton, Sheriff Watauga Co.,		250
	George Nicks, " Yadkin "		250
	A. R. Dennison, " Craven "		1,140 12
	J. R. Grady, " Harnett "		267 25
	J. M. Bateman, " Washg'ton "		500
	J. I. Moore, " Granville "		1,440 12
	N. B. Hampton, " Polk "		20 85
	J. T. Patterson, " Burke "		250
	G. W. Willoughby, " Anson "		454 03
	R. F. Trogden, " Randolph "		377 57
	Battle Bryan, " Edgecombe "		1,394 95
	N. R. Jones, " Warren "		615 86
	J. A. Sowers, " Davidson "		556 84
	G. J. Williams, " Chatham "		1,938 68
	J. A. Reid, " Halifax "		270 83
	L. Bond, " Bertie "		650 64
	S. T. Carrow, " Beaufort "		500
	J. C. Rhodes, " Wayne "		243 62
	John Patterson, " Clay "		250
	E. F. Cox, " Lenoir "		302 33
	Sundry Sheriffs, Tax for Indigent Pupils in Institution of the Deaf, Dumb and Blind, as follows :		
	J. R. Grady, Sheriff Harnett Co.,		225
	J. T. Patterson, " Burke "		75
	G. W. Willoughby, " Anson "		75
	R. F. Trogdon, " Randolph "		75
	Battle Bryan, " Edgecombe "		75
	Henry White, " Perqui'mns "		75
	J. A. Sowers, " Davidson "		150
	G. J. Williams, " Chatham "		150
	J. A. Reid, " Halifax "		300
	S. T. Carrow, " Beaufort "		150
	J. C. Rhodes, " Wayne "		375
	E. F. Cox, " Lenoir "		225
	H. H. Thompson, Cashier National		

Auditor's Report for the Fiscal

1868.			
Oct.	Bank at Newbern, N. C., for tax on Bank dividends,	\$	221 18
	Sundry persons, tax on Insurance Companies, as follows:		
	O. E. Hosmer, Assistant General Agent Underwriter's Agency, New York,		139 73
	S. D. Wait, General Agent for North Carolina, of Connecticut Mutual Life Insurance Company,		221 30
	A. W. Lawrence, General Agent for Brooklyn Life Insurance Company,		58 49
	John G. Williams & Co., General Agent for Underwriter's Agency, New York,		6 72
	W. E. Anderson, Agent for Manhattan Life Insurance Company,		5 30
	W. A. Williams, Agent at Charlotte, N. C., of sundry Insurance Companies,		18 13
	N. H. D. Wilson, Agent at Greensboro', N. C., of Putnam Insurance Company,		3 08
	N. H. D. Wilson, Agent at Greensboro', N. C., of Virginia State Insurance Company,		3 70
	N. H. D. Wilson, Agent at Greensboro', N. C., Insurance Savings Company, Richmond, Va.,		5 70
	T. W. Dewey, Agent at Charlotte, N. C., Manhattan Life Insurance Company,		7 07
	W. H. Crow, General Agent for North Carolina, of Aetna Life Insurance Company,		261 23
	Caldwell & Brenizer, General Agents of Universal Life Insurance Company,		7 65
	P. F. Pescud, Agent of sundry Insurance Companies,		23 59
	Wm. R. Richardson, tax on Seal of Treasury Department,		1
	R. M. Douglas, Private Secretary, tax impressions of Great Seal of State,		49
Nov.	C. W. Horner, Treasurer of Insane Asylum, being amount received by him		

Year ending Sept. 30th, 1869.

1868.		
Nov.	during this month from pay patients in said Asylum,	\$ 180
	J. W. Hayes, Sheriff of Wilkes County, for public tax,	1,328 52
	John Riley, Sheriff of Cumberland Co., for public tax,	4,275 68
	J. W. Hayes, Sheriff of Wilkss County, tax for Constitutional Convention,	455 80
	John Reilly, Sheriff of Cumberland County, for Constitutional Convention,	1,049 96
	G. W. Swepson, as proceeds of sale of \$176,000 N. C. Rail Road Bonds owned by the State,	114,400
	W. H. Jones & Co, proceeds of sale of N. C. Rail Road bonds,	3,200
	Henry White, Sheriff of Perquimans County, tax for indigent patients in Insane Asylum,	500
	John Reilly, Sheriff of Cumberland Co., tax for indigent patients in Insane Asylum,	1,513 80
	J. M. Heck, tax on corporation of Deep River Manufacturing Company,	25
	J. M. Heck, tax on charter granted to Ridgeway Company,	25
	A. Jones, tax on charter granted Roanoke Batteau Transportation Company,	25
	Agents of sundry Insurance Companies for tax an eame as follows :	
	Alex. Steddart, Gen. Agent of Underwriter's Agency, New York, on gross receipts in North Carolina,	76 53
	Hutchison, Burroughs & Co., General Agents Equitable Life Insurance Society,	302 24
	Hutchison, Burroughs & Co., General Agents at Charlotte, N. C., Home Insurance Company, New Haven, Conn.,	8 88
	W. L. Smith & Co., Agents at Wilming-	

Auditor's Report for the Fiscal

1868.			
Nov.	ton, N. C., for sundry Insurance Companies,	\$	60 80
	Springs, Hutchison & Co., Agents at Salisbury, N. C., of Home Insurance Company, New Haven, Conn.,		72
	P. F. Pescud, Agent at Raleigh, N. C., Agent at Raleigh, N. C., of Phoenix Insurance Company, Hartford, Conn.,		28 50
	Gov. W. W. Holden, for weights and measures furnished Caswell County, being amount paid him by Treasurer of said County,		265
	J. M. Heck, as per requisition of Committee on Penitentiary, approved by the Governor, 56 (of \$1,000 each,) State coupon bonds in part payment for 8,000 acres of land purchased by said Committee as site for Penitentiary—\$382.65 accrued interest included,		56,382 65
	D. J. Pruyne, as above, 44 (\$1,000 each) State coupon bonds, payment of balance for 8,000 acres of land as site for Penitentiary, including \$374 accrued interest on same,		44,374
Dec.	Sundry Sheriffs on account of public tax as follows:		
	James Cansler, Sheriff of Macon County,		827 35
	E. G. Hill, Sheriff of Johnston “		3,051 32
	W. A. Walton, Sheriff of Rowan “		417
	N. B. Hampton, Sheriff of Polk “		106 50
	James Cansler, Sheriff of Macon County, taxation for Constitutional Convention,		193 03
	E. G. Hill, Sheriff of Johnston County, tax levied for Constitutional Convention,		825 41
	E. G. Hill, Sheriff of Johnston County, for indigent patients patients Insane Asylum,		592 98
	E. G. Hill, Sheriff of Johnston County,		

Year ending Sept. 30th, 1869.

1868. Dec.	for indigent pupils Institution Deaf and Dumb and the Blind,	\$	150
	A. K. Walker, Cashier First National Bank of Wilmington, N. C., tax on dividends,		240
	Agents of sundry Insurance Companies for tax on same as follows:		
	W. H. Crow, Gen. Agent N. C., Ætna Life Insurance Company,		300 58
	D. A. McMillan, Agent at Fayetteville,		6 22
	A. H. Foster, Agent at Newbern, N. C., of Home Insurance Company, New Haven, Conn.,		11 22
1869. Jan.	Sundry Sheriffs, on account of public tax as follows:		
	J. H. King, Sheriff Lincoln Co.		1,902 86
	Reuben King, former " Robeson "		193
	R. J. Hassell, " Tyrrell "		541 67
	T. F. Lee, " Wake "		9,131 30
	G. W. McKee, " Gaston "		1,864 07
	S. P. Swain, " Brunswick "		1,412 53
	B. S. Buchanan, " Jackson "		634 76
	John Foley, " Pitt "		4,500
	Sundry Sheriffs, tax levied for Constitutional Convention as follows:		
	J. H. King, Sheriff Lincoln Co.,		650 71
	R. J. Hassell, " Tyrrell "		203 82
	G. W. McKee, " Gaston "		683 75
	S. P. Swain, " Brunswick "		287 35
	B. S. Buchanan, " Jackson "		176 90
	Sundry Sheriffs, on account of tax for support of indigent patients in Insane Asylum as follows:		
	J. H. King, Sheriff Lincoln Co.,		74 91
	G. W. McKee, " Gaston "		987 41
	S. P. Swain, " Brunswick "		250
	G. W. McKee, " Gaston "		
	tax for support of indigent pupils in Institution for the Deaf and Dumb and the Blind		150

Auditor's Report for the Fiscal

1869.		
Jan.	W. H. Bagley and Johnston Jones, Clerk and Deputy Clerk of Supreme Court, tax on attorneys' licenses,	\$ 213 75
	R. M. Douglas, Private Secretary, for tax on impressions of Great Seal of State,	108
	Jno. M. Horah, for tax on seal of Treas-	
	Mrs. H. W. Miller, for old carpet pur- chased of State,	10
	Gov. W. W. Holden, for amount unex- pended drawn by him September 15, 1868, on account of appropriation by General Assembly for Executive Man- sion,	3,500
Feb.	Sundry Sheriffs, on account of public tax as follows :	
	W. M. McKinney, Sheriff Mitchell Co.,	483 56
	W. L. Edwards, " Green "	1,094 46
	A. J. Murray, " Haywood "	782 75
	E. A. Gupton, " Franklin "	2,476 46
	E. Murrell, " Onslow "	1,174 89
	J. W. Schenck, Jr., " New Han'r "	5,000
	Sundry Sheriffs, on account of tax levied for Constitutional Convention as fol- lows :	
	W. M. McKinney, Sheriff Mitchell Co.,	70 91
	W. L. Edwards, " Greene "	409 93
	A. J. Murray, " Haywood "	220 75
	E. A. Gupton, " Franklin "	746 35
	E. Murrell, " Onslow "	355 11
	Sundry Sheriffs on account of tax for in- digent patients in Insane Asylum as follows :	
	A. G. Tweed, Sheriff Madison "	62 49
	W. L. Edwards, " Greene "	250
	E. Murrell, " Onslow "	250
	W. H. Bagley, Clerk of Supreme Court, tax on attorneys' licenses, granted January Term of said Court,	28 50
	Sundry persons, tax on corporations as follows :	

Year ending Sept. 30th, 1869.

1869.			
Feb.	H. J. Menninger, Secretary of State, for charter granted Union Land Com'y,	\$	25
	J. T. Pearson, for charter granted to Jamesville and Washington R. R. Lumber Company,		25
	T. A. Sykes, for charter granted to N. C. Manufacturing Loan and Trust Company,		25
	E. P. George, Agent at Wilmington, N. C., for tax on premiums of sundry insurance Companies,		62 03
March.	C. H. Cabiniss, Treasurer of Roanoke Nav'n Co., dividend on stock held by State in said Company, to Sep. 30, '68		300
	C. W. Horner, Treasurer Insane Asylum, on account of board of pay patients in said Asylum, during the month of January,		75
	Sundry Sheriffs on account of public tax as follows :		
	J. W. Schenck, Jr., Sheriff N. Han. Co.,	9,443	31
	J. E. Eldridge, " Bladen "	1,300	
	J. L. Wood, " Pasq'tank "	2,427	45
	Sundry Sheriffs, on account of tax levied for Constitutional Convention as follows :		
	J. W. Schenck, Jr., Sheriff N. Han. Co.,	2,195	96
	J. L. Wood, " Pasq'tank "	631	84
	E. A. Gupton, Sheriff Franklin County, tax on account of indigent patients in Insane Asylum,	1,238	42
	E. A. Gupton, Sheriff Franklin County, tax on account of indigent patients in Insane Asylum,	416	44
	E. A. Gupton, Sheriff Franklin County. tax for support of indigent pupils in Institution for the Deaf and Dumb and the Blind,	75	
	J. W. Schenck, Jr., Sheriff New Haver County, tax for support of indigent pupils in Institution for the Deaf and Dumb and the Blind,	75	

Auditor's Report for the Fiscal

1869.			
March.	Sundry persons, tax on Corporations, as follows:		
	H. J. Menninger, Secretary of State, for Charter granted Richmond Manufacturing Company,	\$	25
	Lemuel Banister, Pres. Green Swamp Company, for amended Charter of said Company,		25
	Lemuel Banister, for tax to incorporate Green Swamp Company,		25
	R. M. Douglas, Private Secretary, for tax on seal of State affixed to sundry Documents,		62
April.	Ex-Gov. Bragg, amount collected by him, of the bondmen of Joshua Rouse, a patient in Insane Asylum of North Carolina, from Columbus County, said claim having been put in his hands for collection by order of former Supervisors of Insane Asylum,		200
	Rev. W. B. Northrop and sundry Sheriffs, on account of public tax, as follows:		
	Rev. W. B. Northrop, amount paid by him for a "delinquent tax payer," for the years 1866 and '67,		500
	John A. Reid, Sheriff of Halifax County, amount collected on judgment in Superior Court of Wake County, vs. J. S. Snow, former Sheriff of Halifax County,	2,675	40
	E. Murrell, Sheriff of Onslow County,	32	49
	J. Sumner, Sheriff of Buncombe "	2,379	91
	T. W. Taylor, Sh'ff of Henderson, "	1,378	21
	John Foley, Sheriff of Pitt "	150	
	Jesse Sumner, Sheriff of Buncombe County, tax on account of Constitutional Convention,	-645	64
	T. W. Taylor, Sheriff of Henderson County, tax on account of Constitutional Convention,	480	15

Year ending Sept. 30th, 1869.

1869.		
April.	Sundry parties on account of State loans, being amounts borrowed to meet State liabilities, as follows:	
	Board of Education of the State of North Carolina,	\$ 158,000
	Raleigh National Bank of the State of North Carolina,	100,600
	Jesse Sumner, Sheriff of Buncombe County, tax on account of indigent patients Insane Asylum,	79 50
	T. W. Taylor, Sheriff of Henderson County, tax on account of indigent patients Insane Asylum,	82 11
	Jesse Sumner, Sheriff of Buncombe County, tax on account of indigent pupils Institution Deaf Dumb and Blind,	75
	Sundry persons, tax on Corporations, as follows:	
	George Little, for charter granted by General Assembly to Littleton Manufacturing Company,	25
	George Kinney, for amended charter granted by Silver Valley Mining Co.,	25
	H. J. Menninger, for amended charter granted Richmond M't'ring Co.,	25
	Agents of sundry Insurance Companies, tax on same, as follows:	
	P. F. Pescud, agent at Raleigh, for sundry Insurance Companies,	77 30
	W. A. Williams, agent at Charlotte, for sundry Insurance Companies	48 49
	S. D. Wait, general agent for North Carolina, of Connecticut Mutual Life Insurance Company,	143 07
	W. H. Crow, general agent for North Carolina, of Aetna Life Insurance Co.,	638 16
	W. L. Smith & Co., agents at Wilmington, of sundry Insurance Companies,	123 25
	E. P. George, agent at Wilmington, of sundry Insurance Companies,	126 13

Auditor's Report for the Fiscal

1869.			
April.	Gov. W. W. Holden, for amount paid by County of Randolph, in part on account of Weights and Measures,	\$	34
May.	Sundry Sheriffs, on account of public tax, as follows:		
	J. W. Schenck, Jr., Sheriff New Hanover County,		4,100
	W. A. Walton, Sheriff Rowan County,		1,101 84
	E. G. Hill, Sheriff Johnston "		500
	M. C. Brinkley, Sheriff Chowan "		650
	Jno. Reilly, Sheriff Cumberland "		1,500
	Bland Wallace, Sheriff Duplin "		680
	B. F. Briggs, Sheriff Wilsan "		1,000
	T. F. Lee, Sheriff Wake "		1,000
	H. C. Cowles, Treasurer Western North Carolina Rail Road Company, (Eastern Division,) for 340 State coupon bonds of \$1,000 each, purchased by said company, including \$1,133 33, as accrued interest on same from October 1st, 1868, to October 20th, 1868,		341,133 33
	Agents of sundry Insurance Companies, for tax on same, as follows:		
	P. F. Pescud, agent at Raleigh, of Phoenix Insurance Co., Hartford, Conn.,		77 45
	O. E. Hosmer, assistant general agent, underwriter's agency, New York,		185 37
	Wm. E. Anderson, agent at Raleigh of Manhattan Insurance Company, New York,		14 53
	Sundry persons, for tax on seal of Treasury Department, affixed to official		5
June.	Agents of sundry Insurance Companies, tax on same as follows:		
	Hutchison, Burroughs & Co., general agents North Carolina, of Equitable Life Insurance Society of United States,		384
	C. A. McMillan, agent a Fayetteville, North Carolina, of sundry Insurance Companies,		24 86

Year ending Sept. 30th, 1869.

1869.			
June.	A. K. Walker, Cashier 1st National Bank at Wilmington, North Carolina, for tax on dividends of said bank,	\$	240
	Sundry persons, on account on account of State coupon bonds (R. R. Co's.):		
	J. J. Mott, President Western North Rail Road Company, (Eastern Division) for 273 \$1,000 State coupon bonds,		273,000
	G. W. Swepson, Presd't Western North Carolina Rail Road, (Western Division,) for 2,187 \$1,000 State coupons at par,		2,187,000
	R. H. Cowan, President Wilmington Charlotte & Rutherford Rail Road Company, for \$1,000, bonds issued for said Company, including \$2,500, accrued interest on bonds from April 1st to 15th, 1869,		1,002,500
	Sundry Sheriffs, on account of State tax, as follows:		
	Battle Bryan, Sh'ff of Edgecombe C'ty,		500
	A. R. Dennison, Sheriff of Craven "		1,500
	J. C. Rhodes, Sheriff of Wayne "		600
	A. F. Hensley, Sheriff of Cabarrus "		500
	J. A. Reid, Sheriff of Halifax "		500
	R. M. White, Sh'ff of Mecklenburg "		700
	J. A. Reid, Sheriff of Halifax "		495
	R. M. Stafford, Sheriff of Guilford "		828 85
	A. R. Dennison, Sh'ff of Craven, "		500
	John Reiley, Sh'ff of Cumberland "		1,000
	Gov. W. W. Holden, for unexpended balance in his hands, of appropriation for Executive Mansion,		951 44
July.	Samuel T. Carrow, Sheriff of Beaufort County, on account of tax levied for support of Institution Deaf Dumb and the Blind, for the year 1869,		150
	Samuel T. Carrow, Sheriff of Beaufort County, for tax on account of Insane Asylum, for the year 1867,		341

Auditor's Report for the Fiscal

1869.			
July.	Sundry Sheriffs, on account of public tax, as follows:		
	Samuel Tarrow, Sheriff of Beaufort County, balance on account for the year 1867, with interest,	\$	2,786 60
	J. L. Wood, Sh'ff of Pasquotank County, for the year 1869,		500
	S. T. Carrow, Sh'ff of Beaufort County, for the year 1869,		1,786 66
	R. M. White, Sheriff of Mecklenburg County, for the year 1869,		800
	John A. Reid, Sh'ff of Halifax County, for the year 1869,		455
	J. C. Griffith, Sh'ff of Caswell County, for the year 1869,		600
	J. D. Davis, Sh'ff of Carteret County, for the year 1869,		500
	N. R. Jones, Sheriff of Warren County, for the year 1869,		900
	V. V. Richardson, Sheriff of Columbus County, for the year 1869,		575 10
	John Foley, Sheriff of Pitt County, for the year 1869,		500
	J. H. King, Sheriff of Lincoln County, for the year 1869,		900
	B. A. Howell, Sh'ff of Robeson County, for the year 1869,		500
	Bland Wallace, Sh'ff of Duplin County, for the year 1869,		1,600
	B. Bryan, Sh'ff of Edgecombe County, for the year 1869,		1,000
	B. B. Briggs, Sheriff of Wilson County, for the year 1769,		500
	M. C. Brinkley, Sh'ff Chowan County, for the year 1869,		500
	R. B. Salisbury, Sh'ff of Martin County, for the year 1869,		500
	John Turner, Sheriff of Orange County, for the year 1869,		4,990 14
	A. W. Lawrence, general agent of Brooklin Life Insurance Company, tax,		97 98

Year ending Sept. 30th, 1869.

1869.			
July.	J. C. Courtney, Superintendent Southern Express Company, State tax,	\$	69 50
	Gov. W. W. Holden, in part payment for Weights and Measures from New Hanover County,		38 50
	G. W. Swepson, for State coupon bonds in part payment of stock subscribed by the State in Western North Carolina Rail Road Company, (Western Division,)	4,000,000	
	G. W. Swepson, Presid't Western North Carolina R. R. Company, (Western Division,) for accrued int. on \$4,000,000 State coupon bonds issued to said Company, in payment of stock subscribed by State in said Company,	13,333 33	
Aug.	Sundry Sheriffs on account of public tax, as follows :		
	H. T. Grant, Sh'r'ft, N'thampt'n C'nty	671 30	
	J. M. Bateman, " Washington "	500 00	
	E. A. Gupton, " Franklin "	500 00	
	John Barnett, " Person "	655 00	
	S. P. Swain, " Brunswick "	1,500 00	
	J. M. Bateman, " Washington "	600 00	
	J. C. Griffith, " Caswell "	3,300 00	
	J. G. W. McKee, " Gaston "	5,400 00	
	S. A. Kelley, " Davie "	500 00	
	J. W. Schenck, Jr., " New Hano'er "		
	Tax on insurance companies for the quarter ending July 1st, 1869,	794 94	
Sept.	Sundry Sheriffs on account of public taxes as follows :		
	Martin Walker, Sheriff, Rutherford Co.,	1,500 00	
	B. A. Howell, " Robeson, "	1,700 00	
	J. C. Griffith, " Caswell "	2,200 00	
	E. A. Gupton, " Franklin "	500 00	
	J. L. Wood, " Pasquotank "	500 00	
	Jno. Barnett, " Person "	2,450 00	
	J. L. Wood, " Pasquotank "	500 00	
	A. R. Dennison, " Craven "	500 00	

Auditor's Report for the Fiscal

STATEMENT D.

PUBLIC FUND DISBURSEMENTS,

*Showing the different purposes for which the Disbursements
of the Public Fund were made.*

Adjutant General's Department,	1,965 56
Appropriations for artificial limbs,	975
Auditor's Department,	4,110 54
Agricultural societies,	50
Agent of Cherokee lands,	714 23
Binding Laws,	6,596 96
Capitol Square,	3,087 73
Copying Laws,	1,608 60
Convention,	89 46
Contingencies,	76,506 64
Department of Public Instruction,	3,566 66
Executive Department,	7,752 65
Fugitives from justice,	6,830 04
General Assembly,	191,102 10
Geological survey,	5,004 69
Interest on State coupon bonds,	111,123
Interest on State debt,	272 81
Insane Asylum,	66,198 63
Insane Asylum, (patient account),	68 75
Institution Deaf and Dumb and the Blind,	37,000
Judiciary,	54,130 55
Keeper of Capitol and Weights and Measures,	1,054 17
Marion and Asheville Turnpike Com- pany,	1,871 78
Militia,	1,864 91
Penitentiary,	121,200 55
Presidential election,	1,144 10
Public taxes refunded,	449 35
Public arms,	60

Year ending Sept. 30th, 1869.

Public Printing,	\$	28,085	10
Quarantine regulations,		4,168	43
Resolutions of General Assembly,		2,701	54
Revised Code,		6,600	
Sheriffs for settling taxes,		2,311	35
State Library,		1,124	94
Superintendent of Public Works,		2,550	
Senatorial election,		11	16
State loans,		118,373	43
State Department,		3,903	25
Treasury Department,		6,082	96
Turnpike Road in Carteret and Craven Counties,		720	
Turnpike Company in McDowell and Yancy Counties,		3,000	
Western N. C. R. R. Company, (Eastern Division),		613,000	
Western N. C. R. R. R. (Western Division),		6,187,000	
Wilmington, Charlotte and Rutherford R. R. Company,		1,000,000	
Weights and Measures,		1,397	36
	\$	8,687,428	97

DETAILED AS FOLLOWS :

1868.			
Oct.	Paid A. W. Fisher, Adjutant General, for one months' salary, ending Sept. 23d, 1868,	\$	100
	A. W. Fisher, Adjutant General, as postage for his department \$15.41; expenses to and from Halifax County, \$18.00,		33 41
	C. W. Horner, for services one day as Clerk to Adjutant General,		2 50
	S. M. Parish, Clerk in office of Adjutant General, as salary from 25th August to September 30th,		90

Auditor's Report for the Fiscal

Oct.	A. W. Fisher, Adjutant General, for expenses incurred in going to Vermont on business for the State of North Carolina,	\$	500 00
	J. J. Manly of Stokes County, commutation for an arm,		50
	J. H. Adams, Clerk to Auditor, as salary from August 22d, 1868, to Sept. 30th, 1868,		105 54
	Henderson Adams, Auditor, as salary to Sept. 30th, inclusive, \$200; do. from Oct. 1st to Nov. 1, 1868, \$200,		400
	Solomon Bragg and others, for services rendered on Capitol Square during this month,		82 50
	Jno. Flagg, for hauling rubbish from square and furnishing 2 gilt signs for Code Commissioners and Adjutant General's office,		9 59
	R. M. Douglas, Private Secretary, his salary from July 18th to Sept. 30th, 1868,		202 67
	John G. Tarwater, for the arrest of Gus. Walker, who escaped from jail in the County of Halifax, N. C.,		200
	G. N. Clayton, Representative, of Transylvania County,		49
	W. A. Allen, Senator, 12th Senatorial District,		204
	C. W. Horner, Treasurer Insane Asylum, on account of support of said Asylum for current fiscal year,		6,639 73
	Samuel H. Young, Treasurer Institution Deaf Dumb and the Blind, on account of said Institution,		2,000
	Hon. E. W. Jones, Judge 2d Judicial District, for 3d quarter's salary, to September 30th, 1868,		625
	Jas. J. Martin, Solicitor, 1 Certificate,		40
	J. M. Clond, Judge of Superior Courts, on account of salary,		239 40

Year ending Sept. 30th, 1869.

1868.			
Oct.	Thos. Settle, Judge of Supreme Court, his salary from July 3d, to September 30th, 1868,	\$	611 32
	Virgil S. Lusk, Solicitor 11th District, 1 Certificate,		40
	A. H. Joyce, Solicitor 8th Circuit, 2 Certificates,		80
	J. A. Richardson, Solicitor 4th District, 3 Certificates,		120
	Hon. R. M. Pearson, Judge Supreme Court, his quarter's salary to September 30th, 1868,		625
	Samuel Watts, Judge Superior Court, his quarter's salary to September 30th, 1868,		625
	W. J. Clark, Solicitor <i>pro tem</i> , 3d Judicial District, 1 Certificate,		40
	Neil McKay, Solicitor 5th Judicial District, 5 Certificates,		200
	J. N. Bunting, for transferring 10 suits in favor of the State,		10
	J. A. Richardson, Solicitor <i>pro tem</i> , 4th Judicial District, 1 Certificate,		40
	R. H. Cannon, Judge Superior Court, his quarter's salary to September 30th, 1868,		625
	J. V. Sherrard, Solicitor 3d District, 3 Certificates,		120
	Wm. R. Cox, Solicitor, Fall Term, 1868,		40
	J. W. Albertson, Solicitor 1st Judicial District, 2 Certificates,		80
	J. A. Richardson, Solicitor 4th Judicial District, 1 Certificate,		40
	Sundry persons, interest on State coupon bonds during this month,	74,679	
	N. Paige & Co., for printing Code of Commissioners,	1,153	10
	N. Paige & Co., for printing 89 Index Books for Sup. Court Clerks, 25,000 Registration Books, and 246,000 oaths,	1,585	50
	A. W. Tourgee, for salary as Code Com-		

Auditor's Report for the Fiscal

1868.			
Oct.	missioner for the month of September, 1868,	\$	200
	V. C. Barringer, for services as Code Commissioner for the month of September, 1868,		200
	Sundry Sheriffs, for settling taxes, as follows :		
	Geo. Nicks, Sheriff Yadkin Co.,		38 50
	John Horton, " Watauga "		54 60
	G. J. Williams, " Chatham "		9 60
	A. R. Dennison, " Craven "		27 60
	J. R. Grady, " Harnett "		12 20
	J. M. Bateman, " Wash'gton "		54 60
	C. C. Vest, " Cherokee "		100 40
	E. F. Cox, " Lenoir "		21 20
	B. F. Willey, " Gates "		46 20
	Wm. Latham, " Ashe "		53 20
	G. W. Wilson, " Transylva. "		73
	J. I. Moore, " Granville "		16
	N. G. Grandy, " Camden "		54
	J. B. Watson, " Hyde "		55 40
	K. H. Worthey, " Moore "		15 60
	N. B. Hampton, " Polk "		61
	M. M. McKinney, " Mitchell "		59
	J. T. Patterson, " Burke "		47
	G. W. Willoughby, " Anson "		52
	R. F. Trogdon, " Randolph "		31
	Battle Bryan, " Edgecombe "		27 40
	P. C. Riley, " Montg'ry "		41
	T. F. Baxter, " Currituck "		53
	Henry White, " Perquim'ns "		53
	J. A. Sowers, " Davidson "		25
	J. A. Reid, " Halifax "		25
	Lewis Bond, " Bertie "		63
	H. G. Perry, " Richmond "		55 40
	J. C. Rhodes, " Wayne "		17 60
	S. T. Carrow, " Beaufort "		34 20
	J. Patterson, " Clay "		101 50
	B. A. Howell, " Robeson "		46
	H. D. Coley, State Librarian, his 3d		

Year ending Sept. 30th, 1869.

1868. Oct.	quarter's salary, ending September 30th, 1868,	\$	175	
	H. D. Coley, State Librarian, for sundry books for State Library,		30	25
	H. D. Cooley, State Librarian, for 9 vols. "The Museum of Art and Foreign Literature," for State Library,		20	25
	C. M. Farriss, Keeper of Capitol, his salary from July 15th, to September 30th, 1868,		104	17
	S. S. Ashley, Superintendent Public Instruction, his salary for the month of September,		200	✓
	E. S. Ashley, Clerk to Superintendent Public Instruction, his salary for September and October,		166	66 ✓
	S. S. Ashley, Superintendent Public Instruction, his salary for the month of October,		200	
	C. L. Harris, Superintendent Public Works, his salary for the month of October,		200	
	C. W. Horner, Bookkeeper of Treasury Department, his salary to September 30th, 1868,		72	23
	D. W. Bain, Chief Clerk of Treasury Department, his 3d quarter's salary ending September 30th, 1868.		375	
	Hesselbach & Mahler, for 9 sets Standard Weights, and boxes for same,		1,355	70
	C. M. Farriss, Keeper of Weights and Measures, as salary from July 15th, to September 30th, 1868,		41	66
	Southern Express Company, freight on sundry packages,		8	50
	Henry Gorman, 6½ days work, (painting) in Auditor's office,		16	25
	John Ransom, 7 days work, (painting) in Auditor's office,		17	50
	Alex. Turner, as servant for sundry departments,		45	

Auditor's Report for the Fiscal

1868.			
Oct.	Newbern Republican, for advertising notices to Sheriffs of North Carolina, and Proclamation of Governor Holden, and General Orders from Adju't General's Office,	\$	19
	H. J. Menninger, Secretary of State, for Express charges on 12 certified copies for Executive, Treasury and Attorney General Departments,		34 10
	S. D. Harrison, for 2 basins and pitchers,		5 50
	Henry Fendt, for 35 pounds soap,		4 37
	H. P. Buncombe, for services as waiter in Capitol,		22 50
	Western Union Telegraph Company, for telegrams sent and received by the various departments,		55 58
	Friday Jones, for services as Watchman in Capitol from July 14th, to September 30th, 1868,		114
	Rutherford Star, for publishing General Orders, 1, 2 and 3, of Adjutant Gen'l,		25
	R. R. Harrison, for work done in Supreme Court Rooms, Commons Hall and Senate Chamber,		36 50
	Southern Express Company, freight on sundry packages,		26 25
	Wilmington Post, advertising duties of Superior Court Clerks.		250
	Hatch, Estes & Co., 70 reams paper and 1 roll parchment,		703 20
	W. N. Edwards, leveling and cleaning up on Baptist Grove,		37 50
	Southern Express Company, packages shipped from Weldon to Franklin,		4
	A. Miller, Postmaster, postage for the several departments,		233 33
	Raleigh and Gaston Rail Road Company, freight on 2 packages furniture,		18 12
	G. M. Lea, Treasurer North Carolina Rail Road Company, payment of United States Revenue tax on \$180,000		

Year ending Sept. 30th, 1869.

1868.		
Oct.	scrips dividend received from North Carolina Rail Road Company,	\$ 9,000
	Raleigh Gas Light Company, gas furnished State House and gate lamps,	44
	Southern Express Company, freight on sundry packages,	2 75
	John Armstrong, ruling, binding and indexing 3,040 Register's Books,	912
	Southern Express Company, freight on sundry packages,	4 25
	Raleigh & Gaston Rail Road Company, freight on 2 boxes furniture,	25 78
	Wm. Gant, making steps, taking up and relaying floor in office of Superintendent of Public Instruction,	32 82
	Wm. Gant, work done and materials furnished in various departments,	55 25
	Southern Express Company, freight on sundry packages,	8 75
	Newbern Republican, advertising duties of Superior Court Clerks,	250
	Southern Express Company, freight on sundry packages,	10 75
	Raleigh & Gaston Rail Road Company, freight on 2 packages furniture,	17 94
	Wilmington Post, advertising Proclamation,	21
	Wilmington Post, advertising for departments of Adjutant General, Treasury and Superintendent Public Works,	62
	Southern Express Company, freight on packages,	2
	L. Hinton, making belt and holster for Watchman in Capitol,	1 65
	D. J. Pruyn, 100 cords wood and 3 days work with team,	439
	Southern Express Company, freight on packages,	4 25
	Raleigh & Gaston Rail Road Company, freight on 18 bundles chairs,	14 25

Auditor's Report for the Fiscal

1868.		
Oct.	Southern Express Company, freight on packages from New York,	\$ 1 25
	Jas. Gorman, 12 days work (painting) in office Superintendent Public Instruction,	30
	W. M. Robins, for services in attendance on Penitentiary Committee,	80 90
	R. W. Lassiter, for services in attendance on Penitentiary Committee,	65 90
	J. A. Hyman, for services in attendance on Penitentiary Committee,	77 10
	J. H. Renfrow, for services in attendance on Penitentiary Committee,	84 10
	J. H. Harris, for services in attendance on Penitentiary Committee,	64 30
	Hugh Downing, for services in attendance on Penitentiary Committee,	179 30
	W. H. & R. S. Tucker & Co., 292½ yds. carpeting, 3 dozen chairs, 7 walnut desks, 3 tables, packing trunk, oil cloths and rugs,	1,613 53
	Southern Express Company, freight on sundry packages from New York,	129 25
	John Ransom, painting judges stand and book case in Supreme Court room,	7
	Southern Express Company, freight on sundry packages,	3
	K. B. Waitt, 35 boxes for packing books sent to Superior Court Clerks,	15 75
	Sentinel office, advertising notice to Sheriffs, &c.,	9
	R. R. Harrison, sewing and putting down carpet in office of Superintendent Public Instruction,	15
	J. W. Stephens, Colonel Commanding, for expenses incurred in organizing militia in Caswell County,	108 90
	Phil. Theim, 2 dozen spittoons, 1 gross matches and can of ink,	79
	H. C. Smith, repairs on dome of Capitol and Capitol roof,	300

Year ending Sept. 30th, 1869.

1868.			
Oct.	R. & G. R. R. Company, freight on 4 boxes paper,	\$	17 15
	American Bank Note Company, Engraving coupon plates, furnishing bonds and coupons and alteration to bond plate,		2,040 30
	Jno. Ransom, for painting in sundry offices in Capitol,		5 60
	G. R. Kimball, for distributing registration books for 26 Counties,		200
	Hatch, Estes & Co., 50 reams white paper, cartage and insurance,		667 15
	Jno. Armstrong, 75 bound books and making 15 sets County dockets,		937 50
	Newbern Republican, advertising for Treasury, Executive and Adjutant General's Departments,		82
	Geo. W. Nason, Jr., 1 doz. drawer locks, chains and water-coolers,		130 20
	A. B. Newberry, for package for blank forms and reports of Boards of Internal Improvements of State of Ohio,		10
	A. Mooney, for traveling expenses in distributing registration books and oaths,		98 65
	Southern Express Company, freight on package,		50
	R. W. Lassiter, attendance on Penitentiary Committee,		36
	Southern Express Company, freight on package to New York,		25
	Western Union Telegraph Company, telegrams sent and received by Executive and Treasury Departments,		20 47
Nov.	A. W. Fisher, Adjutant General, as salary to November 1st, 1868,		129
	Solomon Bragg and others. services on Capitol square and guarding arsenal during this month,		78
	N. Paige & Co., printing 3,500 copies		

Auditor's Report for the Fiscal

1868.	page 109 of ordinances end press work 15 tokens,	\$	18 90
Nov.	A. G. Tweed, Sheriff of Madison County, expenses incurred and services rendered, in coming to Raleigh and returning to Madison County, with J. A. Keith, charged with murder during the rebellion, including also the expenses of Capt. H. A. White, for accompanying the Sheriff,		188 37
	William Long, Representative from Caswell County,		
	Tod R. Caldwell, President of Senate, from Burke County,		634
	J. Keener, Representative from Jackson County,		295 60
	Hon. Bedford Brown, attendance and mileage,		64
	C. W. Horner, Treasurer Insane Asylum North Carolina, as part of appropriation of General Assembly, for fiscal year ending Sept. 30th, 1868, for use of said Asylum,		5,000
	S. S. Ashley, Superintendent Public Instruction, for the use of Institution for the Deaf, Dumb and the Blind,		3,000
	Sundry persons, interest on State coupon bonds during this month \$12.467; coupons cut from new bonds under funding act of March 10th, 1866, to pay accrued interest on said bonds \$5.019,		17,466
	G. W. Logan, Judge of Superior Courts, his quarters' salary to Oct. 1, 1868,		625
	Jno. V. Sherard, Solicitor, 1 certificate,		40
	J. R. Bulla, Solicitor, 5 certificates,		200
	A. W. Tourgee, Judge of Supreme Courts, his quarter's salary to Oct. 1, 1868,		625
	W. L. Tate, Solicitor 2 certificates,		80
	J. J. Martin, Solicitor, 1 certificate,		40

Year ending Sept. 30th, 1869.

1868.			
Nov.	J. A. Richardson, Solicitor, 1 certificate,	\$	40
	E. G. Reade, Associate Justice of Supreme Court, his quarter's salary to Oct. 1st, 1868,		625
	J. J. Martin, Solicitor pro tem., 1 certificate,		40
	Wm. M. Coleman, Attorney General, on account of salary to Nov. 1, 1868,		125
	W. B. Rodman, Associate Justice of Supreme Court, his quarter's salary, ending Sept. 30th, 1868,		625
	J. A. Richardson, Solicitor, 1 certificate,		40
	J. W. Alberton, " 2 "		80
	W. R. Cox, " 2 "		80
	Wm. H. Thompson, Superintendent of Penitentiary, for the purpose of constructing the stockade provided for in section 2 of the act of the General Assembly authorizing the construction of a Penitentiary and expenses incident thereto,		5,000
	Sundry Sheriffs for making returns of election as follows :		
	W. M. McKinney, Sh'ff Mitchell County,		67 20
	A. S. C. Powell, " Wilkes "		18 40
	V. V. Richardson, " Columbus "		35 40
	N. Paige, State Printer, printing for Senate and House of Representatives including Laws and Journals from July 18th to Nov. 16th, 1868,		2,629 71
	P. F. Pescud, agent of Phoenix Insurance Company, amount over paid by him for said Company April 15, 1868,		11 81
	C. W. Horner, Treasurer Insane Asylum, amount overpaid for board of Mrs. Emily Lawrence, patient in said Asylum,		25
	Sundry persons under resolutions of General Assembly, as follows :		
	B. W. Green,		33
	N. J. Whitaker,		81 25

Auditor's Report for the Fiscal

1868.			
Nov.	H. A. Hodge,	\$	122 40
	L. M. Green,		273
	W. A. Marcom,		133
	Page & Allen,		300
	A. F. Page,		39 75
	Hon. A. W. Tourgee, Code Commissioner, salary for the month of Oct.,		200
	Hon. W. B. Rodman, Code Commissioner, salary for the month of Sept.,		200
	Hon. W. B. Rodman, Code Commissioner, salary for the month of Oct.,		200
	A. W. Tourgee, Code Commissioner, salary for the month of November,		200
	J. W. Hays, Sheriff of Wilkes County, for settling taxes,		48 40
	John Reilly, Sheriff of Cumberland County, for settling taxes,		54 50
	H. J. Menninger, Secretary of State, salary for the month of October,		200
	W. E. Anderson, Cashier State National Bank at Raleigh, in full of amount of principal and interest of negotiable note,		101,500
	Friday Jones, one month's wages as Watchman of State House,		45
	Alex. Turner, for services as waiter in Capitol 1 month,		22 50
	H. P. Buncombe, services as waiter in Capitol 1 month,		22 50
	A. Miller, P. M., for postage stamps for Treasury Department,		10
	Southern Express Company, freight on packages shipped to Newbern, N. C.,		3 75
	Hatch, Estes & Co., amount of bill for for stationery,		675 75
	Williams & Haywood, for lead, oil and print,		49 40
	H. Mahler, seal and press for Superior Courts for sundry Counties,		99 50
	S. D. Harrison, 40 pounds candles, 6 boxes stove polish and brush, -		9 90

Year ending 30th Sept., 1869.

1868.			
Nov.	R. R. Harrison, for cutting, sewing and putting down carpet in Auditor's and Treasurer's offices,	\$	23 95
	Raleigh & Gaston Rail Road Company, freight on 11 boxes stationery,		12 82
	N. Paige & Co., for printing Registration Oaths, Election Returns, &c.,		192 29
	Southern Express Company, freight on 14 boxes from Charleston, South Carolina, and packages from New York,		137 25
	Southern Express Company, freight on 3 boxes and package from Charleston, South Carolina, and Salisbury, North Carolina,		23 50
	D. G. Curtis, for the purchase of a tract of land for the building of a Quarantine Hospital,		125
	D. G. Curtis, Quarantine Physician, for the Port of Wilmington, for services from August 21st to September 30th, 1868,		66 66
	D. G. Curtis, for bill of expenses on Quarantine Boat,		90
	D. G. Curtis, for expenses incurred on business in Wilmington,		38 25
	Jas. Buncombe, for services rendered in cleaning Senate Chamber and House of Representatives,		8
	N. Paige & Co., for printing done for Adjutant General and Executive Departments,		96 75
	John Hyman, for services on the Penitentiary Committee,		80 60
	Major Hugh Downing, for services on the Penitentiary Committee,		58 20
	Raleigh Gas Light Company, for Gas consumed in Capitol and State Lamps in October, 1868,		44
	Hatch, Estes & Co., for Stationery,		1,471 98
	Raleigh & Gaston Rail Road Company, freight on 9 bales paper,		64 23

Auditor's Statement for the Fiscal

1868.			
Nov.	R. W. Lassiter, for 6 days services in locating Penitentiary,	\$	41
	R. R. Harrison, for furnishing and fixing 4 window shades in Governor's office,		32 85
	Southern Express Company, freight on 6 boxes to Morganton, North Carolina,		12
	Nichols & Gorman, for printing done for the various Departments,		218 50
	John Ransom, for painting done in office of Superintendent of Public Works,		1
	K. B. Waite, for making 55 boxes for packing books,		24 75
	Southern Express Company, for freight on packages for Executive Department,		3 25
	J. H. Renfrow, for attendance on Penitentiary Committee,		95
	Southern Express Company, freight on bonds to New York,		25
	Douglas Bell, for 8 tons Coal, Drayage and Commissions on same,		137 39
	Chas. Kuester, for repairing locks, making keys, &c., in Capitol,		81 30
	Southern Express Company, freight on packages for Executive Department,		5 10
	R. R. Harrison, for putting down carpet in sundry offices in Capitol,		21
	Kemp P. Battle, for expenses to Halifax County, to attend to business of the State vs. Sheriff for unpaid taxes, &c.,		115 75
	A. Green, for repairing wheelbarrow,		2 25
	W. J. Yates, for advertising Proclamation of Governor Holden and notice in regard to paying interest on State bonds,		57
	John Armstrong, for binding Code of Civil Procedure, Dockets, &c.,		1,500
	Raleigh & Gaston Rail Road Company, freight on 1 box furniture,		7 87
	D. J. Pruyne, for hauling 3,000 stand of arms, equipments, &c.,		45

Year ending Sept. 30th, 1869.

1868.			
Nov.	Rutherford Star, for advertising Governor's Proclamation,	\$	30
	Southern Express Company, freight on 11 boxes to Morganton,		22
	E. Daniels, for the purchase of a Quarantine Boat,		173
	Geo. W. Hays, for plastering office of Code Commissioners,		1 50
	J. B. Carpenter, Editor Rutherford Star, for advertising General Orders of Adjutant General,		5 50
	A. W. Fisher, Adjutant General, for balance of expenses North, in procuring arms for the State,		176 04
	Governor W. W. Holden, for Asheville Pioneer, for advertising Proclamation of October 12th, 1868,		64
	Asheville Pioneer, for publishing General Orders 1, 2, 3, 6 and 8 of Adjutant General, \$23 50. Do. advertising for Public Treasurer, \$7,		30 50
	Thos. Scarlett, for repairing desk in Treasury Department,		5 55
	R. R. Harrison, for 1 hair cushion,		4
	Henry Hunter, for 11 days guard duty at Arsenal,		16 50
	A. P. Jessup, for carrying Registration Books and Oaths to Danbury, Stokes County,		8 50
	Southern Express Company, freight on packages for State Library,		2 75
	John Ransom, for 5 days painting in office of Code Commissioners,		12 50
	C. J. Rogers, Agent North Carolina Rail Road Company, freight on guns, accoutrements and ammunition,		529 77
	Raleigh & Gaston Rail Road Company, freight on 1 box furniture and 1 case wire fenders,		15 75
	Southern Express Company, freight on		

Auditor's Report of the Fiscal

1868.			
Nov.	packages for Adjutant General's Department,	\$	2 75
	John Ransom, 2 days painting in office		5
	Code Commissioners,		
	Raleigh & Gaston Rail Road Company,		5 69
	freight on 3 cases hardware,		
	Southern Express Company, freight on		1
	packages for Treasury Department,		
	Hatch, Estes & Co., for shovels, tongs,		152 15
	coal grates, &c.,		
	J. M. Heck, 56 State coupon bonds of		
	\$1,000 each, issued to him, in part		
	payment for 8,000 acres of land pur-		
	chased by Penitentiary Committee, as		
	site for Penitentiary, said bonds being		
	issued in conformity to an act of the		
	General Assembly of North Carolina,		
	ratified August 24th, 1868, entitled		
	"An act to provide for the employ-		
	ment of convicts and the erection of a		
	Penitentiary,"	56,000	
	Issued also to D. J. Pruyn, under the		
	above act and for purposes therein		
	mentioned, 44 coupon bonds of \$1,000		
	each, being in full for balance of said		
	purchase,	44,000	
Dec.	A. W. Fisher, Adjutant General, on		
	account of salary to December 1, 1868,	100	
	S. M. Parish, Clerk to Adjutant General		
	on account of salary to December 19,		
	1868,	197 50	
	Calvin Blevins, commutation for a leg,	50	
	Henderson Adams, Auditor of State, on		
	account of salary to December 1, 1868,	200	
	Jas. H. Adams, Clerk to Auditor of		
	State, on account of salary to Decem-		
	ber 31, 1868,	250	
	Henderson Adams, Auditor of State, on		
	account of salary to December 31,		
	1868,	200	
	John Armstrong, for binding 2,000		

Year ending Sept. 30th, 1869.

1868. Dec.	copies of the laws of the Special Session of 1868, and 6 sets of Dockets, (30 books,)	\$	495
	Soloman Bragg and others, for services rendered on Capitol Square, and guarding Arsenal during this month,		106 75
	W. H. Hamilton, for maple trees, rose bushes, &c.,		150
	C. H. Colfield, for 10 live oaks and 60 mock orange trees, for Capitol Square,		14 50
	E. Edwards, for 17 loads manure,		8 50
	W. H. Hamilton, for trees, plants, shrubs &c., for Capitol Square,		437 20
	H. J. Menninger, Secretary of State, for furnishing the Public Printer with copies and resolutions passed at the Special Session of 1868, by the General Assembly,		228
	Sundry Electors for President and Vice President of the United States, as follows:		
	H. E. Stilley,		72 40
	A. H. Galloway,		67 69
	W. S. Pierson,		98
	H. A. Badham,		38
	Byron Laflin,		84 40
	Jos. W. Holden,		14
	J. A. McDonald,		36
	R. Barringer,		84
	C. H. Brogden,		34
	W. R. Richardson, Clerk in Executive Department, his 4th quarter's salary, to December 31, 1868,		300
	H. Sauls, Messenger in Executive Department, his 4th quarter's salary, to December 31, 1868,		125
	Sundry members of the General Assembly, as follows:		
	Tod R. Caldwell, Presid't of the Senate,		444
	A. C. Avery, Senator,		121 40
	Wm. Barrow, "		298

Auditor's Statement for the Fiscal

1868.				
Dec.	Joshua Barnes,	Senator,	\$	282 40
	J. W. Beasley,	"		350
	N. B. Bellamy,	"		303 60
	P. T. Beeman,	"		340
	Silas Burns,	"		264 80
	Jas Blythe,	"		368 80
	D. D. Colgrove,	"		304 40
	J. B. Cook,	"		262 40
	J. H. Davis,	"		324
	J. B. Eaves,	"		356
	J. W. Etheridge,	"		411
	Henry Eppes,	"		293 60
	Samuel Forkner,	"		314
	A. H. Galloway,	"		305 60
	J. W. Graham,	"		268
	O. S. Hayes,	"		341 20
	J. S. Harrington,	"		268
	J. A. Hyman,	"		277 60
	W. D. Jones,	"		258
	R. W. Lassiter,	"		274 80
	Edwin Legg,	"		320 80
	J. M. Lindsey,	"		296 40
	P. A. Long,	"		301 20
	W. L. Love,	"		449 20
	L. A. Mason,	"		332
	F. G. Martindale,	"		356
	C. Melchor,	"		316
	W. M. Moore,	"		362
	W. A. Moore,	"		311 60
	J. H. McLaughlin,	"		316
	J. W. Osborne,	"		217
	J. W. Purdie,	"		330
	D. J. Rich,	"		323 20
	W. B. Richardson,	"		282
	J. B. Respass,	"		322
	W. M. Robins,	"		304
	J. G. Scott,	"		305 20
	T. M. Shoffner,	"		280
	S. P. Smith,	"		382 60
	J. W. Stephens,	"		312
	W. H. S. Sweet,	"		295 20

Year ending Sept. 30th, 1869.

1868.				
Dec.	G. W. Welker,	Senator,	\$	284
	E. A. White,	"		352
	R. I. Wynne,	"		267 20
	C. S. Winstead,	"		277 60
	P. A. Wilson,	"		296
	T. A. Byrnes, Secretary	"		308
	J. C. L. Harris, Ass't Sec'y,	"		252
	J. T. Ball, Doorkeeper,	"		252
	F. W. Gible, Ass't Doorkeeper	"		311 60
	E. F. Martin,	"		161 60
	Cornelius Caldwell, Page,	"		195 20
	Joseph W. Holden, Speaker in the House			
	Representatives,			360
	Wallace Ames,	Representative,		282
	T. M. Argo,	"		268
	J. J. Allison,	"		270
	Joel Ashworth,	"		303 20
	M. E. Armstrong,	"		290 80
	L. B. Barnes,	"		355 60
	Henry Barnes,	"		305 20
	S. C. Barnett,	"		277 60
	E. T. Blair,	"		294 80
	W. W. Boddie,	"		294
	J. W. Bowman,	"		364
	W. G. Candler,	"		374
	Wilson Carey,	"		312
	Nathan Carson,	"		342
	William Cawthorn,	"		284 60
	H. C. Cherry,	"		298 40
	R. C. Clayton,	"		352
	J. W. Clayton,	"		380
	J. H. Crawford,	"		272
	G. F. Davidson,	"		316
	J. H. Davis,	"		310 40
	J. Dixon,	"		288
	H. Downing,	"		328 40
	Plato Durham,	"		345 60
	D. S. Ellington,	"		300
	J. R. Ellis,	"		332
	L. G. Estes,	"		305 20
	T. Farrow,	"		328

Auditor's Report for the Fiscal

1868. Dec.	Representative,	\$	
W. B. Ferebee,	"	343	20
Richard Forkner,	"	277	60
F. W. Foster,	"	327	20
S. D. Franklin,	"	254	40
G. Z. French,	"	305	20
G. W. Gahagan,	"	373	60
John Gatlin,	"	332	
J. P. Gibson,	"	313	20
W. W. Gilbert,	"	214	40
G. A. Graham,	"	321	20
L. Green,	"	316	
W. W. Grier,	"	320	
W. T. Gunter,	"	262	
J. C. Harper,	"	202	
J. T. Harris,	"	326	
Joseph A. Hawkins,	"	293	60
W. T. J. Hayes,	"	252	
A. L. Hendrix,	"	332	80
John O. Hicks,	"	305	
D. P. High,	"	322	80
B. R. Hinnant,	"	266	80
David Hodgin,	"	286	80
P. Hodnett,	"	310	
J. Hoffman,	"	332	
S. G. Horney,	"	292	
I. E. Hudgins,	"	295	60
T. C. Humphries,	"	346	80
Dixon Ingram,	"	357	20
T. J. Jarvis,	"	366	
J. M. Justice,	"	356	
W. D. Justus,	"	371	20
J. A. Kelly,	"	312	
Abel Kelly,	"	275	
Geo. Kinney,	"	299	60
Byron Laffin,	"	322	80
J. S. Leary,	"	308	
J. B. Long,	"	262	
R. T. Long,	"	350	40
W. H. Malone,	"	340	
R. P. Matheson,	"	324	
Cuffee Mayo,	"	276	

Year ending Sept. 30th, 1869.

1868. Dec.	Representative,	\$	
W. W. McCanliss,	“	311	60
J. C. McMillan,	“	289	60
J. R. Mendenhall,	“	293	60
J. A. Moore,	“	276	
F. G. Moring,	“	257	60
B. D. Morrill,	“	318	
B. W. Morris,	“	296	
Thos. A. Nicholson,	“	324	40
E. M. Painter,	“	455	20
R. C. Parker,	“	306	
J. T. Pearson,	“	272	
G. P. Peck,	“	298	80
G. W. Pou,	“	264	
G. W. Price, Jr.,	“	305	20
E. R. Proctor,	“	333	20
David Proffitt,	“	417	
J. T. Reynolds,	“	114	80
J. W. Ragland,	“	272	80
J. J. Rea,	“	360	40
J. H. Renfrow,	“	292	
J. T. Reynolds,	“	196	
P. D. Robins,	“	344	
J. L. Robinson,	“	449	60
A. S. Seymour,	“	296	
J. M. Shaver,	“	312	
R. Short,	“	322	80
W. B. Siegrist,	“	336	
Jas. Sinclair,	“	332	
J. R. Simonds,	“	532	
T. A. Sykes,	“	350	40
J. L. Smith,	“	342	
J. J. Smith,	“	356	
D. E. Smith,	“	276	
E. T. Snipes,	“	312	
G. W. Stanton,	“	286	40
A. W. Stevens,	“	304	
H. E. Stilley,	“	310	40
N. S. Stuart,	“	126	
Isham Sweat,	“	56	
F. Thompson,	“	296	80
J. P. Vest,	“	299	

Auditor's Report for the Fiscal

1868.				
Dec.	T. M. Vestall,	Representative,	\$	320
	J. E. A. Waldrop,	"		364
	W. P. Welch,	"		380
	J. White,	"		362
	R. D. Whitley,	"		327 20
	L. D. Wilkie,	"		289 60
	John C. Williams,	"		296
	B. C. Williams,	"		262 40
	John Williamson,	"		122 80
	J. H. Williamson,	"		140
	S. C. Wilson,	"		399
	A. C. Wiswall,	"		336
	Jno. H. Boner, Clerk to House of Rep-			
	resentatives,			400
	T. J. Candler, Assistant Clerk to House			
	of Representatives,			372
	Edgar Miller, Doorkeeper to House of			
	Representatives,			305 20
	J. B. Abbott, Assistant Doorkeeper to			
	House of Representatives,			296
	Wm. Hardie, Page to House of Repre-			
	sentatives,			108
	Thos. Austin, Page to House of Repre-			
	sentatives,			87
	David Harris, Page to House of Repre-			
	sentatives,			88 40
	D. W. Harris, Page to House of Repre-			
	sentatives,			66
	Simon Pocher, Page to House of Repre-			
	sentatives,			108
	J. A. McDonald, Engrossing Clerk,			274
	W. B. Rich, Assistant Engrossing Clerk,			323 20
	J. E. O'Hara, " " "			272
	J. B. Eaves, Senator,			49
	John O. Hicks, Representative,			49
	L. A. Mason, Senator,			49
	J. W. Bowman, Representative,			49
	W. W. Gilbert, "			49
	J. R. Ellis, "			49
	E. T. Blair, "			49
	John A. McDonald, Clerk,			25

Year ending Sept. 30th, 1869.

1868.		
Dec.	Geo. O. Spooner, for transcribing three copies Constitutional Amendment, (14th article),	\$ 50
	Isaac B. Kelley, Representative,	148
	Walter Brown, Representative, (dis-qualified),	240
	Fisk P. Brewer, Treasurer Institution Deaf Dumb and the Blind, on account of appropriation to said Institution for the year 1869,	5,000
	Sundry persons interest on State coupon bonds during this month,	12,948
	Wm. M. Coleman, Attorney General for 2 months' salary ending December 31, 1868,	250
	Neill McKay, Solicitor, 3 certificates,	120
	W. P. Bynum, " 1 "	40
	J. J. Martin, " 1 "	40
	G. W. Logan, Judge Superior Courts, his quarter's salary, ending December 31, 1868,	625
	C. W. Thomas, Judge Superior Courts, his quarter's salary, ending December 31, 1868,	560
	A. H. Joyce, Solicitor, 4 certificates,	160
	W. P. Caldwell, " 7 "	280
	Anderson Mitchell, Judge Superior Courts, third quarter's salary to Feb. 30, 1868,	625
	Arderson Mitchell, Judge Superior Courts, fourth quarter's salary ending Dec. 31, 1868,	625
	R. P. Buxton, Judge Superior Courts, his third quarter's salary ending Sept. 30, 1868,	625
	R. P. Buxton, Judge Superior Courts, his fourth quarter's salary, ending Dec. 31, 1868,	625
	W. P. Bynum, Solicitor, 6 certificates,	240
	W. R. Cox, " 1 "	40
	J. W. Albertson, " 2 "	80

Auditor's Report for the Fiscal

1868. Dec.	W. L. Tate, Solicitor, pro tem., 1 certificate,	\$	40
	A. W. Tourgee, Judge Superior Courts, his fourth quarter's salary to Dec. 31, 1868,		625
	T. H. Coates, Architect of Penitentiary, his salary to Jan. 1, 1869.		185
	Sundry Sheriffs, for making returns of Presidential election as follows :		
	J. T. Patterson, Sheriff Burke County,		14 50
	M. C. Brinkley, " Chowan "		55 20
	J. Marshall, " Stanly "		32
	John D. Davis, " Carteret "		29 20
	W. E. Piercey, " Yancy "		58 80
	E. Murrill, " Onslow "		34 60
	N. Paige, for making side notes to laws of special session 1868,		100
	Nancey A. Hicks, amount allowed her under resolution of the General Assembly, ratified Aug. 24th, 1868,		85
	W. B. Rodman, Code Commissioner, for services rendered the month of Nov., 1868,		200
	V. C. Barringer, Code Commissioner, for services rendered the month of Oct., 1868,		200
	V. C. Barringer, Code Commissioner, for services rendered the month of Nov., 1868,		200
	A. W. Tourgee, Code Commissioner, for services rendered the month of Dec. 1868,		200
	James Cansler, Sheriff, Macon County, for settling taxes,		104 80
	E. G. Hill, Sheriff, Johnston County, for settling taxes,		12
	H. J. Menninger, Secretary of State, salary for the month Dec. 1868,		200
	H. D. Cooley, State Librarian, on account of salary to Dec. 31, 1868		175
	C. M. Farriss, Keeper of Capitol, &c., his		

Year ending Sept. 30th, 1869.

1868.			
Dec.	4th quarters salary, ending December 31, 1868,	\$	237 50
	S. S. Ashley, Superintendent Public Instruction, salary for the month of Nov., 1868,		200
	S. S. Ashley, Superintendent Public Instruction, salary for the month of Dec., 1868,		200
	C. L. Harris, Superintendent Public Works, salary for the month of Nov., 1868,		200
	C. L. Harris, Superintendent Public Works, salary for the month of Dec. 1868,		200
	D. W. Bain, Chief Clerk to Public Treasurer, his 4th quarter's salary, ending Dec. 31, 1868,		375
	A. D. Jenkins, Disbursing Clerk in Treasury Department, his 4th quarter's salary, ending Dec. 31, 1868,		250
	C. W. Horner, Bookkeeper, in Treasury Department, his 4th quarter's salary, ending Dec. 31, 1868,		187 50
	J. W. Bowman, Commissioner of McDowell and Yancey Turnpike Company in pursuance of an appropriation made by the Board of Internal Improvements in favor of said Company,		3,000
	J. A. Richardson, for traveling expenses and board at Wilmington, for investigating the accounts of S. R. Bunting and S. W. Schenck, Jr., former and present Sheriffs of New Hanover County, by request of the Public Treasurer,		14
	H. P. Buncombe, waiter in Capitol, for services month of November, 1868,		22 50
	Friday Jones, Watchman in Capitol, for services month of November, 1868,		45

Auditor's Report for the Fiscal

1868. Dec.	Alexander Turner, waiter in Capitol, for services month of November, 1868,	\$	22	50
	Southern Express Company, freight on packages, for State Library and Treasury Department,			2
	K. B. Waitt, for making 3 boxes and 1 ladder,		15	
	Western Union Telegraph Company, for telegrams sent and received during the months of October and November, 1868, for Executive, State and Treasury departments,		80	78
	W. H. & R. S. Tucker & Co., for 6 chairs for Supreme Court room, and sundry other articles as per bill rendered,		339	65
	W. E. Pell, for advertising Governor's Proclamation to electors,		14	
	L. V. Blum, for printing General Orders Nos. 1, 2, 6 and 8 for Adjutant General department,		41	
	S. D. Harrison, for 1 gross matches and 3 dozen cakes soap,		4	75
	Southern Express Company, freight on packages for State Library,		1	50
	John Ransom, for painting and setting glass in office of Secretary of State,		1	
	Southern Express Company freight on packages for Treasury Department,		2	
	Raleigh & Gaston Rail Road Company, freight on 6 rolls carpeting,		10	50
	John Ransom, for putting 8 panes glass in windows of Senate Chamber,		2	
	Southern Express Company, freight on sundry packages from New York for Treasury Department, 5 boxes to Statesville, N. C., and amount of bill for cuts and engraving for letter heads, &c., collected by said Company,		34	95
	Raleigh Gas Light Company, for gas consumed in Capitol and gate lamps			

Year ending Sept. 30th, 1869.

1868.			
Dec.	from November 1st, to December 1st, 1868,	\$	44 80
	Southern Express Company, freight on sundry packages,		10 50
	Hatch, Estes & Co., for stationery and 1 dozen wire fenders,		8,165 46
	People's Press, for adv'tising Governor's Proclamation in October, 1868,		40
	Southern Express Company, freight on packages of bonds valued at \$10,000,		25
	T. H. Briggs, for work done in Capitol and sundry articles furnished,		115 71
	Wilmington Post, for advertising for Treasury and Adjutant General's departments, and Governor's Proclamation, in regard to arms,		112
	American Bank Note Company, for alteration to tint plate and furnishing 4,001 bonds, \$1,000 each, and 60 coupons,		1,225 30
	American Bank Note Company, for furnishing bonds and coupons and alteration to plate,		190 30
	Southern Express Company, freight on sundry boxes of books to various parts of the State,		14 50
	Southern Express Company, freight on sundry packages from New York,		5
	Raleigh & Gaston Rail Road Company, freight on 20 boxes books,		24 51
	John G. Williams, for expenses to and from New York, also telegraph and Express charges,		220 70
	Southern Express Company, freight on 10 boxes to various addresses,		20 50
	H. P. Buncombe, waiter in Capitol, month December, 1868,		22 50
	W. G. Gant, for work done in office of Superintendent Public Instruction, and Senate Chamber,		9
	Raleigh & Gaston Rail Road Company,		

Auditor's Report for the Fiscal

1868.			
Dec.	freight on 20 boxes books and 4 boxes sundries,	\$	27 39
	Alexander Turner, for services as waiter in Capitol, month December, 1868,		22 50
	Geo. W. Kimball, for distributing dockets for Superior Court Clerks in 26 western Counties,		375
	John Armstrong, for 12 sets County dockets, 60 books, 8 quire demy,		750
	R. R. Harrison, for 10 window shades, and putting up the same in sundry offices,		106 75
	Southern Express Company, freight on Superior Court dockets to various addresses,		13 75
	Southern Express Company, freight on packages for State and Treasury departments,		42 78
	Jas. M. Harris, for 14,988 feet lumber for boxing trees round Capitol Square,		262 29
	Hilliard Bishop, for boxing trees and manure furnished for same,		46 25
	Raleigh & Gaston Rail Road Company, fr'ht on paper, books, press, stand, &c.,		36 82
	John Armstrong, for 8 dockets for the Judges and Clerk of the Supreme Court,		12
1869.			
Jan.	Felix Blevins, commutation for the loss of a foot in Confederate service,		50
	Reuben Saxton, commutation for an arm rendered useless in Confede'te service,		50
	Jacob Ham, commutation for disabled arm,		50
	N. R. Jones, commutation for disabled thigh,		50
	J. R. Baldwin, commutation for the loss of a leg,		50
	J. P. Norton, commutation for the loss of a leg,		50

Year ending Sept. 30th, 1869.

1869.			
Jan.	Dr. E. B. Haywood, for medical examination of disabled soldiers,	\$	20
	Jno. Armstrong, for binding 4,400 documents of the Legislature of 1868'69, folding and stitching 7,290 House bills and 2,300 Senate bills,		316 95
	Sol. Bragg and others, for services rendered on Capitol Square, and guarding Arsenal during this month,		99
	E. S. Ashley, Clerk in office of Superintendent Public Instruction, for his 4th quarter's salary, ending December 31, 1868,		250 ✓
	R. M. Douglass, Private Secretary, his quarter's salary, ending Dec. 31, 1868,		250
	Sundry members of the General Assembly, as follows:		
	Isham Sweat, Representative,		252
	E. W. Jones, Senator,		121
	J. H. Harris, Representative,		252
	W. W. Gilbert, " "		140
	Wallace Ames, " "		56
	Joseph W. Holden, Speaker of the House Representatives,		10
	A. H. Galloway, Senator,		112
	J. B. Respass, " "		112
	C. Mayo, Representative,		35
	L. B. Long, " "		63
	J. H. Williamson, " "		123
	Jno. W. Purdie, Senator,		119
	A. S. Seymour, Representative,		49
	W. Carey, " "		70
	William Hardy, Page in House of Representatives,		30
	Ivey Hudgins, Representative,		133
	John S. Leary, " "		133
	J. W. Ragland, " "		63
	Francis W. Gible, Ass't Doorkeeper,		14
	D. S. Ellington, Representative,		105
	Joseph Dixon, " "		105
	S. Pocher, Page,		21

Auditor's Report for the Fiscal

1869.			
Jan.	J. C. L. Harris, Assistant Secretary,	\$	105
	William Cawthorn, Representative,		105
	S. C. Barnett,		35
	J. H. Harris,		56
	J. H. Boner, Clerk,		105
	J. H. Crawford,		105
	H. E. Stilley,		70
	E. T. Blair,		56
	D. J. Rich, Senator,		98
	J. M. Justice, Representative,		42
	T. M. Vestal,		49
	A. L. Hendrix,		35
	J. B. Cooke, Senator,		140
	Jno. A. Hyman,		105
	Henry Eppes,		105
	G. P. Peck, Representative,		63
	A. W. Stephens,		42
	T. A. Sykes,		105
	E. F. Martin, Page,		30
	S. C. Barnett,		70
	T. J. Jarvis,		105
	T. A. Byrnes, Secretary,		105
	O. S. Hayes, Senator,		105
	W. A. Moore,		112
	J. H. Boner, Clerk in House Represen-		7
	tatives,		
	N. E. Armstrong, Representative,		105
	B. D. Morrill,		105
	John W. Graham, Senator,		105
	T. J. Candler, Reading Clerk in House		
	of Representatives,		105
	J. C. McMillan, Representative,		105
	D. P. High,		105
	P. D. Robins,		105
	J. A. Moore,		105
	F. Thompson,		105
	Plato Durham,		105
	Phillip Hodnett,		105
	E. W. Pou,		105
	B. W. Morris,		105
	C. Mayo,		70

Year ending 30th Sept., 1869.

1869.				
Jan.	Edgar Miller,	Doorkeeper,	\$	112
	Francis W. Gibble,	"		28
	D. D. Colgrove,	Senator,		126
	Wallace Ames,	Representative,		56
	J. H. Boner, Clerk in House	"		7
	J. E. O'Hara, "	"		161
	G. W. Price,	"		84
	J. L. Smith,	"		105
	J. T. Harris,	"		105
	W. W. Grier,	"		105
	J. M. Justice,	"		105
	L. Green,	"		105
	J. T. Reynolds,	"		70
	L. B. Banner,	"		105
	R. D. Whitley,	"		70
	W. M. Moore,	Senator,		105
	J. J. Rea,	Representative,		105
	J. T. Reynolds,	"		35
	P. T. Beeman,	Senator,		105
	E. A. White,	"		105
	J. B. Eaves,	"		105
	T. M. Argo,	Representative,		105
	P. A. Wilson,	Senator,		105
	W. P. Welch,	Representative,		105
	J. M. Lindsay,	"		105
	J. T. Pierson,	Representative,		105
	H. Barnes,	"		105
	W. H. Malone,	"		105
	D. S. Ellington,	"		49
	F. G. Martindale,	Senator,		105
	A. L. Hendrix,	Representative,		70
	J. P. Gibson,	"		105
	B. R. Hinnant,	"		105
	D. Ingram,	"		105
	A. S. Seymour,	"		56
	J. A. Kelley,	"		105
	R. Forkner,	"		105
	W. T. J. Hayes,	"		105
	J. Hoffman,	"		105
	J. A. Hawkins,	"		105
	S. A. Mason,	Senator,		126

Auditor's Report for the Fiscal

1869.			
Jan.	J. W. Clayton,	Representative,	\$ 105
	R. T. Long,	"	105
	J. T. Ball, Doorkeeper of Senate,		98
	Hugh Downing,	Representative,	105
	Francis Gible, Assistant Doorkeeper,		63
	J. S. Harrington,	Senator,	105
	F. G. Moring,	Representative,	105
	J. R. Mendenhall,	"	105
	Isham Sweat,	"	105
	W. D. Jones,	Senator,	105
	J. R. Ellis,	Representative,	105
	J. B. Abbott,	Doorkeeper,	105
	Geo. Kinney,	Representative,	105
	E. T. Blair,	"	49
	J. W. Stevens,	Senator,	105
	G. A. Graham,	Representative,	105
	Jas. Blythe,	Senator,	105
	W. H. S. Sweat,	"	105
	A. W. Stevens,	Representative,	63
	John H. Renfrow,	"	105
	David Harris, Page,		45
	L. V. Smith,	Senator,	105
	A. C. Wiswall,	Representative,	105
	W. M. Robins,	Senator,	105
	S. D. Franklin,	Representative,	105
	Thos. Austin, Page,		45
	R. W. Lassiter,	Senator,	105
	Wm. Hardy, Page,		15
	J. R. Simonds,	Representative,	105
	J. O. Hicks,	"	105
	J. L. Robinson,	"	105
	H. Humphries,	"	105
	E. F. Martin, Page,		15
	L. D. Wilkie,	Representative,	105
	J. W. Osborne,	Senator,	105
	J. W. Beasley,	"	105
	Wm. Barrow,	"	105
	W. L. Love,	"	105
	Professor Kerr, State Geologist, on account of appropriation as provided for		

Year ending Sept. 30th, 1869.

1869.		
Jan.	in Section 15 of Chapter 2, of Revised Code,	\$ 1,000
	C. W. Horner, Treasurer Insane Asylum, as part of appropriation of General Assembly of North Carolina for the Fiscal Year ending September 30th, 1868,	12,131 30
	Fisk P. Brewer, Treasurer of Institution for the Deaf, Dumb and Blind, on account of appropriation of said Institution for the year 1869,	2,000
	Sundry persons interest on State coupon bonds during this month,	975
	James Litchford, Marshal of the Supreme Court, for 9 days' services ending 12th day of January, 1869,	27
	John V. Sherrard, Solicitor, 1 Certificate,	40
	J. L. Henry, Judge of Superior Court, 3d quarter's salary, ending September 30th, 1868,	625
	J. L. Henry, Judge of Superior Court, 4th quarter's salary, ending December 31st, 1868,	625
	R. M. Pearson, Judge Supreme Court, 4th quarter's salary, ending December 31st, 1868,	625
	J. M. Cloud, Judge Superior Court, 4th quarter's salary, ending December, 31st, 1868,	625
	W. L. Tate, Solicitor 12th Judicial District, 4 certificates,	160
	Jno. Foley, for J. J. Martin, Solicitor, 1 certificate,	40
	W. R. Cox, Solicitor, 1 certificate,	40
	J. W. Albertson, Solicitor, 2 certificates,	80
	W. P. Caldwell, " 2 "	80
	J. J. Martin, " 2 "	40
	J. R. Bulla, " 3 "	120
	C. C. Pool, Judge Superior Court, 3d	

Auditor's Report for the Fiscal

1869.			
Jan.	and 4th quarters' salary, ending' December 31st, 1868,	\$	1,250
	D. L. Russell, Jr., Judge Superior Court, 3d and 4th quarters' salary, ending December 31st, 1868,		1,250
	E. W. Jones, Judge Superior Court, 4th quarter's salary, ending December 31st, 1868,		625
	R. H. Cannon, Judge Superior Court, 4th quarter's salary, ending December 31st, 1868,		625
	John V. Sherrard, Solicitor, 1 certificate,		40
	Johnston Jones, Deputy Clerk of C. B. Root, Clerk Supreme Court, for half year's salary, ending December, 31st, 1868, and for recording 834 pages,		600 30
	W. B. Rodman, Judge of Supreme Court, his 4th quarter's salary, ending December 31st, 1868,		625
	R. P. Dick, Judge Supreme Court, as his third and fourth quarters' salary, ending December 31st, 1868.		1,250
	Thos. Settle, Judge Supreme Court, as his fourth quarter's salary, ending December 31st, 1868,		625
	Ed. G. Reade, Judge Supreme Court, as his fourth quarter's salary, ending December 31st, 1868,		625
	S. W. Watts, Judge Superior Court, as his fourth quarter's salary, to December 31st, 1868,		625
	J. J. Baxter, Sheriff, for making returns for Presidential election,		50
	George N. Lewis, Sheriff, for making returns for Presidential election,		9
	N. Paige, State Printer, printing for General Assembly from Nov. 16th to Dec. 30th, 1868,		2,101 12
	D. W. Whitaker, for examinig accounts of Public Printer,		3

Year ending Sept. 30th, 1869.

1869.			
Jan.	V. C. Braringer, Code Commissioner, salary for the month of Dec., 1868,	\$	200
	W. B. Rodman, Code Commissioner, salary for the month of Dec., 1868,		200
	Sundry Sheriffs, for settling tax as follows:		
	J. H. King, Sheriff of Lincoln County,		47 60
	R. J. Hassell, Sheriff of Tyrrell "		69
	G. W. McKee, Sheriff of Gaston "		46 25
	S. P. Swain, Sheriff Brunswick "		41 40
	F. J. Menninger, Clerk in office of Secretary of State, his fourth quarter's salary, ending Dec. 31st, 1868,		250
	H. J. Menninger, Secretary of State, salary for the month of Dec., 1868,		200
	James H. Harris, for services on Penitentiary Committee,		20
	North Carolina Rail Road Company, freight on sundry packages, stationery,		111 96
	Southern Express Company, freight on sundry packages for State Departm't.		18 25
	Raleigh Gas Light Company, 100 fire brick for offices in Capitol,		15
	Williams & Haywood, paints, oil, &c., for use of Capitol,		30 60
	G. W. Hayes, work done in office of Attorney General,		9 20
	Southern Express Company, freight on packages shipped for State and Treasury Departments,		23 25
	Raleigh and Gaston Rail Road Company, freight on one case of paper,		4 29
	Southern Express Company, freight on packages from New York,		1 25
	Wilmington Post, for advertizing Governor's Proclamation relative to Municipal Officers, &c.,		39
	Frank O'Donnell, for cleaning water closets, and repairing pipes in same,		34 90
	South. Ex. Co., freight on packages from Springfield, Illinois, and New York,		5 75

Auditor's Report for the Fiscal

1869.			
Jan.	H. Mahler, for making, altering and repairing Superior Court Seals,	\$	92
	John Ransom, for painting in nine water closets,		4 50
	Southern Express Company, freight on packages from New York,		4 75
	W. J. Gant, for work done in offices of Superintendents, Public Instruction and Public Works,		47 45
	Southern Express Company, for freight on packages for State Library and State Department,		3
	Western Union Telegraph Company, for messages sent and received by Executive and State Departments,		14 80
	John Harrison, for repairing carpets in Senate Chamber and House of Representatives,		10
	J. A. Jones, for books furnished State Library,		22
	Raleigh Gas Light Company, for gas consumed in Capitol and gate lamps on Capitol Square during the month of December, 1868,		87 20
	A. Miller, Post Master, for amount of postage for the various departments during the month of December, 1868,		299 19
	Southern Express Company, freight on sundry packages shipped by Secretary of State,		53 25
	Raleigh and Gaston Rail Road Company, freight on nine cases books, &c.,		16 14
	J. B. Neathery & Co., for advertising Weights and Measures,		10
	J. B. Neathery & Co., for printing for Executive and Treasury Departments,		244 32
	Southern Express Company, freight on packages for Treasury Department,		1
	Lougee & Bro., for one coal grate, &c., for office of Attorney General,		16 50

Year ending Sept. 30th, 1869.

1869.			
Jan.	Handy Lockhart, for repairing chairs and locks, and work done in Capitol,	\$	64
	Western Union Telegraph Company, for telegrams sent and received by Executive, Treasury and State Departments, during this month,		34 36
	Southern Express Company, freight on twenty boxes, shipped to various addresses by Secretary of State,		42
	Friday Jones, Watchman of Capitol, services to December 31st, 1868,		45
	Robert Hall, for cutting and packing fifty cords wood,		37 50
	J. B. Neathery & Co., printing for State Department,		305 69
Feb.	John A. Ennis, commutation for loss of an arm,		50
	Thomas Ham, commutation for a hand rendered useless,		50
	J. B. Plummer, commutation for a leg,		50
	J. P. Williams, commutation for a leg,		50
	W. P. Hurley, commutation for an arm,		50
	Solomon Bragg and others, for services on Capitol Square, and guarding Arsenal during this month,		207
	N. A. Miles and others, for manure and trees for Capitol Square, \$132, removing Supreme Court Library, and paper for Superintendent of Public Instruction \$18,		150
	R. T. Bosier, for arresting fugitives from justice,		100
	Sundry Members of the General Assembly, as follows:		
	R. P. Matheson, Representative,		105
	Silas Burns, Senator,		105
	Cornelius Caldwell, Page,		45
	E. T. Snipes, Representative,		105
	Edwin Legg, Senator,		105
	George P. Peck, Representative,		42
	H. C. Cherry, " "		35

Auditor's Report for the Fiscal

1869.		
Feb.	Tod. R. Caldwell, President of Senate,	\$ 300
	W. D. Justus, Representative,	105
	J. E. W. Waldrop, "	105
	M. Carson, "	105
	E. M. Painter, "	105
	J. W. Stephens, Senator,	35
	Tilman Farrow, Representative,	105
	J. J. Allison, "	105
	J. W. Stanton, "	105
	W. B. Seigrist, "	105
	W. Carey, "	35
	H. A. Cherry, "	70
	Jas. B. Long, "	42
	J. W. Holden, Speaker of the House,	150
	W. G. Candler, Representative,	105
	J. W. Bowm, "	105
	J. P. Vest, "	105
	D. E. Smith, "	105
	H. E. Stilley, "	35
	J. H. Davis, "	105
	W. W. McCanliss, "	105
	J. W. Holden, Speaker of the House,	10
	Samuel Forkner, Senator,	105
	J. W. Ragland, Representative,	56
	Jas. G. Scott, Senator,	105
	B. C. Williams, Representative,	105
	J. A. McDonald, Clerk,	105
	John H. Boner, "	35
	J. G. Hort, for compensation as Clerk to Committee on Bribery,	60
	David Proffitt, Representative,	105
	John A. McDonald, Enrolling Clerk,	45
	Simon Pocher, Page,	12
	J. M. Shaver, Representative,	105
	G. W. Price, "	21
	W. B. Ferebee, "	105
	S. C. Wilson, "	105
	T. M. Vestall, "	56
	G. Z. French, Representative,	105
	R. I. Wynne, Senator,	105
	John Gatlin, Representative,	105

Year ending Sept. 30th, 1869.

1869.			
Feb.	Joseph W. Holden, Speaker House Rep.,	\$	80
	J. B. Respass, Senator,		28
	W. B. Rich, Engrossing Clerk,		105
	J. C. Williams, Representative,		105
	W. T. Gunter, "		105
	C. S. Winstead, Senator,		105
	Abel Kelley, Representative,		105
	W. W. Gilbert, "		49
	J. H. Crawford, "		21
	R. D. Whitley, "		35
	W. W. Boddie, "		105
	Ivey Hudgins, "		14
	W. B. Richardson, Senator,		105
	J. E. O'Hara, Clerk,		28
	J. H. Davis, Senator,		105
	R. C. Parker, Representative,		105
	E. K. Proctor, "		105
	D. W. Harris, Page,		6
	G. W. Gahagan, Representative,		105
	L. G. Estes, "		105
	F. W. Foster, "		105
	A. H. Galloway, Senator,		42
	D. S. Ellington, Representative,		21
	David Hodgins, "		105
	H. E. Stilley, "		35
	Wm. Hardie, Page,		6
	Christop'r Melchor, Senator,		105
	John Banner, Representative,		35
	T. M. Argo, "		98
	John W. Graham, Senator,		203
	G. W. Welker, "		105
	T. A. Nicholson, Representative,		105
	T. J. Jarvis, "		56
	T. A. Sykes, "		21
	W. W. Gilbert, "		56
	T. M. Shoffner, Senator,		105
	P. A. Wilson, "		21
	Francis Gible, Assist. Doorkeeper,		21
	W. J. Hayes, Representative,		14
	Joel Ashworth, "		35
	Wm. M. Moore, Senator,		28

Auditor's Report for the Fiscal

1869.			
Feb.	C. Mayo,	Representative,	\$ 49
	N. B. Bellamy,	Senator,	70
	Jo. W. Holden,	Speaker House Rep.	130
	E. F. Martin,	Page,	30
	H. C. Cherry,	Representative,	14
	J. White,	"	105
	David W. Harris,	Page,	30
	W. D. Justus,	Representative,	70
	Byron Laffin,	"	105
	Wm. Cawthorn,	"	70
	S. Pocher,	Page,	30
	Fisk P. Brewer, Treasurer Institution Deaf and Dumb and the Blind, on account of appropriation for said Institution for 1869,		1,000
	Johnston Jones, for C. B. Root, Clerk Supreme Court, for 18 days' services to 18th day of January, 1869,		22 45
	S. W. Watts, Judge, for holding Court Oyer and Terminer, Wake County, two weeks,		180
	J. A. Jones, for 5 Winston's Law and 5 Winston's Equity,		62 50
	Jno. V. Sherrard, Solicitor, 2 certificates,		80
	Virgil S. Lusk, " 5 "		200
	W. H. Bagley, Clerk of Supreme Court, for services rendered in the matter of Henderson Adams, State Auditor, (contempt) \$17.90, D. A. Wicker Marshal in the same, \$2.70,		20 60
	J. J. Martin, Solicitor, 1 certificate,		40
	Johnston Jones, for moving and arranging the records and papers of Supreme Court,		60
	W. H. Gentry, for making returns for election held for President and Vice President of U. S., and members of Congress in November, 1868,		27
	C. W. Horner, for examining accounts of Public Printer,		3

Year ending Sept. 30th, 1869.

1869.			
Feb.	The following Sheriffs for tax overpaid by them in 1866 :		
	J. W. Galloway, late Sheriff Clay Co.,	\$	14 80
	Walker Smith, " " Rocking'm "		311 15
	A. W. Tourgee, for services as Code Commissioner for the month of January, 1869,		200
	Sundry Sheriffs for settling taxes as follows :		
	A. J. Murray, Sheriff Haywood Co.,		65
	W. L. Edwards, " Greene "		24
	B. S. Buchanan, " Jackson "		73
	E. J. Hale & Son, for sundry books for State Library,		102 27
	N. C. Rail Road Company, for freight on two packages stationery,		7 93
	S. D. Harrison, for washbowl and pitcher, soap and matches,		10 05
	T. H. Briggs, for sundry articles for use of State House,		56 09
	Southern Express Company, for freight on package for State Library,		4
	Southern Express Company, for freight on package for State Department,		5
	S. T. Blackwell, for repairing wheelbarrow,		3 75
	Southern Express Company, for freight shipped by State Department,		13
	Alex. Turner, for services as waiter in Capitol 1 month,		22 50
	Raleigh Gas Light Company, for gas consumed in Capitol and State Lamps during this month,		160 80
	Southern Express Company, for freight shipped by Treasury Department,		1 25
	Southern Express Company for drawing and engraving, cut seal, freight, &c.,		49 25
	J. J. Maguire, for guarding papers, books, &c., of Auditor's office, 12 days and 11 nights, caused by the removal		

Auditor's Report for the Fiscal

1869. Feb.	of the same; by order of the Supreme Court,	\$	57 50
	John Harrison, for hanging curtains and laying carpet in Clerk's office in Commons Hall,		4
	Briggs & Atkins, for making 12 pairs doors, trimming cases, furnishing locks, hinges and screws, and hanging doors, &c., in office of Superintendent of Public Instruction \$140—making two single book cases and one double do. for office of Secretary of State, \$58,		198
	H. T. Clawson, for laying oil cloth and taking down shades in Treasurer's office,		5
	H. Mahler, for seal and press for Superior Courts for the Counties of Catawba, Northampton, Moore, Washington, Polk and Franklin,		90
	Southern Express Company, for package shipped for State Library,		75
	Raleigh & Gaston Rail Road Company, for freight on 4 cases stationery,		21 63
	A. James, for work done in Auditor's office and Supreme Court room,		20 50
	S. M. Parrish, for painting and graining book cases and table in office of Superintendent of Public Instruction,		13 50
	John Ransom, for 5½ days' painting in offices of Auditor and Secretary of State, at \$2.50 per day,		13 75
	Southern Express Company, for freight on 9 packages books,		13 50
	John Harrison, for laying carpet in office of Keeper of Capitol and in House of Representatives and furnishing cords, &c., for window shades,		11
	Alexander Turner, for services as waiter in Capitol for several departments, 1 month,		22 50

Year ending 30th Sept., 1869.

1869.	Interest on State coupon bonds during this month,	\$	60	
March.	Henderson Adams, State Auditor, salary for the month of January, 1869,		200	
	Solomon Bragg and others, for services rendered on Capitol Square and guarding Arsenal, &c.,		115	15
	R. M. Douglas, Private Secretary, salary from January 1, 1868, to March 18, 1899,		211	65
	Sundry persons, in accordance with section 5, of "An act prescribing the power and duty of the Governor in regard to fugitives from justice," as follows :			
	R. T. Bosher,		150	
	E. K. Proctor,		150	
	L. D. Wilkie,		250	
	R. T. Bosher,		250	
	Sundry members of the General Assembly, as follows :			
	Thomas Austin, Page,		12	
	H. E. Stilley, Representative,		49	
	J. T. Ball, Doorkeeper to Senate,		21	
	Richard Hilliard, Representative,		105	
	Wm. Hardy, Page,		12	
	J. B. Respass, Senator,		49	
	Ivy Hudgins, Representative,		21	
	A. S. Seymour, "		105	
	J. P. Vest, "		28	
	J. G. Hort, Ass't Engrossing Clerk,		28	
	G. L. Davidson, Representative,		105	
	J. H. Renfrow, "		28	
	J. J. Smith, "		105	
	W. M. Robbins, Senator,		35	
	C. H. Brogden, "		272	
	S. G. Horney, Representative,		105	
	T. G. Martindale, Senator,		52	50
	Joel Ashworth Representative,		70	
	James Blythe, Senator,		28	
	W. T. J. Hayes, Representative,		224	

Auditor's Report for the Fiscal

1869.			
March.	J. W. Ragland, Representative,	\$	28
	C. H. Brogden, Senator,		105
	J. W. Holden, Speaker,		100
	J. H. Crawford, Representative,		21
	N. B. Bellamy, Senator,		35
	T. A. Sykes, Representative,		21
	W. B. Rich, Engrossing Clerk,		105
	W. A. Moore, Representative,		105
	Geo. P. Peck, "		175
	Wm. Hardy, Page,		3
	P. A. Long, Senator,		105
	Lawson A. Mason, "		21
	T. M. Argo, Representative,		105
	J. H. Renfrow, "		14
	T. J. Procise, Deputy Sheriff, for ex- penses incurred in conveying Sarah F. Procise, a patient, to the Lunatic Asylum,		16 50
	On account of appropriation for the In- stitution of the Deaf, Dumb and the Blind, as follows :		
	Fisk, P. Brewer, Treasurer of said Insti- tution,		500
	John Nichols, Treasurer of said Institu- tion,		1,000
	Sundry Sheriffs, on account of Presiden- tial election :		
	J. L. Bond, Sheriff of Pasquotank Co., for expenses incurred in traveling 450 miles,		45
	James I. Moore, Sheriff of Granville County, for expenses incurred in trav- eling 80 miles,		9
	C. W. Horner, for examining account of Public Printer,		3
	John G. Whitfield and Wife, through the hands of J. B. Batchelor, Att'y, for amount of tax overpaid by them,		8 52
	Sundry Sheriffs for settling taxes as fol- lows :		
	E. A. Gupton, Sheriff of Franklin Co.,		15 40

Year ending Sept. 30th, 1869.

1869.			
March.	J. W. Schenck, Jr., Sheriff of New Hanover County,	\$	32 60
	J. L. Wood, Sheriff of Pasquotank Co.,		56 60
	Jesse Sumner, Sheriff of Buncombe Co.,		63
	D. W. Bain, Chief Clerk of Treasury department, for quarter's salary, ending March 31st, 1869,		375
	A. D. Jenkins, Teller of Treasury department, quarter's salary, ending March 31, 1869,		250
	Sundry persons, interest on State coupon bonds during this month,		4,575
	H. P. Buncombe, for services as waiter in the Capitol, two months, to March 1, 1869,		45
	Southern Express Company, for freight shipped by Secretary of State for Supreme Court Library,		15
	Handy Lockhart, for repairing chairs and putting locks on doors in House of Representatives and Senate Chamber, and repairing furniture in office of Secretary of State,		84 75
	Friday Jones, for 2 months services as watchman of the Capitol,		90
	Southern Express Company, freight on package for Superintendent Public Instruction,		1 75
	John Armstrong, for 8 sets of Superior Court dockets, 40 books at \$12 50,		500
	Western Union Telegraph Company, for sundry telegrams sent and received,		7 55
	E. J. Hale & Sons, for 1 Wallace's Reports, volumes 4, 5 and 6, 1 Spencer's Chancery, 2 volumes, 1 English Common Law volume 107, sundries on Bankrupt, &c., for Supreme Court Library,		70 55
	Southern Express Company, freight on sundry packages,		2
	N. J. Gant, for articles furnished and		

Auditor's Report for the Fiscal

1869.			
March.	work done in offices of Superintendent Public Instruction, Attorney General and Keeper of the Capitol,	\$	32 45
	John Ransom, 9½ days painting in Auditor's office, at \$2 50,		23 75
	Douglas Bell, for 1 ton coal,		16 50
	Southern Express Company, freight on sundry packages,		14 50
	A. Miller, Postmaster, for post'ge stamps for Supreme Court,		6
	Southern Express Company, for freight on sundry boxes books for County officers,		12
	John Ransom, for 2 days painting in office of Secretary of State,		5
	R. M. Douglas, Private Secretary, for fees allowed him for sealing State bonds,		1,043 40
	Southern Express Company, freight on 26 packages shipped for State department,		10 75
	Southern Express Company, freight on packages shipped for State Departm't, and State Librarian,		6 25
	John Ransom, for 6 days painting and graining in Auditor's office,		15
	Southern Express Company, freight shipped for State Department,		375
	John Harrison, for 5 days work repairing carpets and window shades in House of Representatives and Senate Chamber,		13
	Southern Express Company, freight on 7 boxes guns, &c., to Kinston, \$19 30, freight shipped for Treasury department, \$1 75,		21 05
	James Vick, for flower seeds for Capitol Square,		13 40
	Southern Express Company, freight on sundry boxes for State and Treasury departments,		10 75

Year ending 30th Sept., 1869.

1869.		
March.	W. F. King, for repairing Chandeliers and gas burners in Auditor's office,	\$ 5
	W. R. Richardson, Acting Private Secretary, for sealing 300 bonds at 10c.,	30
April.	A. W. Fisher, Adjutant General, for 4 months salary, from December 1st, 1868, to April 1st, 1869,	400
	Major J. H. Foot, for the Central Agricultural Society, in Granville County,	50
	J. H. Adams, Clerk to Auditor, for 1st quarter's salary, ending April 1, 1869,	250
	H. Adams, Auditor, salary for the months of February and March, 1869,	400
	John Armstrong, for binding 500 House and Senate Journals of 1868, at 75 cents; 20 sets of Court Dockets, at \$12 50, and binding 1,500 Code of Civil Procedure, at 75 cents,	2,750
	Solomon Bragg and others, for services rendered on Capitol square and guarding Arsenal for the month of April,	192
	Jacob Siler, Agent, per T. L. Robinson, Attorney, under resolution of the General Assembly, ratified April 12th, 1869,	714 23
	W. W. Holden, Governor, salary from July 1st, 1868, to January 1st, 1869,	2,500
	W. H. Sauls, Messenger in Executive Department, for quarter's salary ending March 31st, 1869,	125
	W. R. Richardson, Clerk in Executive Department, salary to March 31st, 1869,	300
	W. W. Holden, Governor, quarter's salary to April 1st, 1869,	1,250
	Peter Cook, for the arrest of James Thomas, a fugitive from justice,	100
	E. T. Blair, being the amount due Wm. Brown, for the arrest of Daniel M. Clapp, a fugitive from justice,	100
	R. T. Bosher, under an act concerning	

Auditor's Report for the Fiscal

1869.			
April.	the power and duties of the Governor in regard to fugitives from justice,	\$	125
	J. W. Stephens, under an act prescribing the power and duty of the Governor in respect to fugitives from justice,		50
	R. T. Bosher, under the above act,		250
	G. R. Kimball, under the above act,		62
	S. P. Gill, for the arrest of Raiford Pearce, a fugitive from justice,		250
	L. D. Wilkie, under an act prescribing the power and duty of the Governor in regard to fugitives from justice,		300
	Henry Eppes, for amount allowed Dud- ley and Major Hanlon, for the arrest of a fugitive from justice,		66 66
	T. C. Ford, for the arrest and delivery of John W. Wagoner, a fugitive from justice,		200
	Sundry members of the General Assem- bly as follows :		
	Tod R. Caldwell, President of the Senate		690
	Joshua Barnes, Senator,		693
	Wm. Barrow, "		588
	P. T. Beeman, "		588
	J. W. Beasley, "		693
	R. S. Beall, "		781
	N. B. Bellamy, "		588
	James Blythe, "		560
	C. H. Brogden, "		588
	Silas Burns, "		588
	D. D. Colgrove, "		567
	J. B. Cook, "		553
	J. H. Davis, "		588
	Jno. B. Eaves, "		588
	Henry Eppes, "		588
	J. W. Etheridge, "		203
	Samuel Forkner, "		588
	A. H. Galloway, "		98
	E. A. White, "		490
	P. A. Wilson, "		567
	C. S. Winstead, "		588

Year ending Sept. 30th, 1869.

1869.			
April.	A. H. Galloway,	"	\$ 301
	J. W. Graham,	"	385
	J. S. Harrington,	"	588
	O. S. Hayes,	"	588
	Jno. A. Hyman,	"	588
	A. J. Jones,	"	399 40
	W. D. Jones,	"	588
	R. W. Lassiter,	"	504
	Edwin Legg,	"	588
	J. M. Lindsay,	"	588
	P. A. Long,	"	588
	W. L. Love,	"	588
	F. G. Martindale,	"	535 50
	L. A. Mason,	"	546
	Jno. H. McLaughlin,	"	693
	C. Melchor,	"	588
	W. A. Moore,	"	581
	W. M. Moore,	"	560
	C. T. Murphy,	"	292
	J. A. Oates,	"	220 20
	Jas. W. Osborne,	"	588
	J. B. Respass,	"	504
	D. J. Rich,	"	126
	W. B. Rich, Ex. of D. J. Rich, dec'd,		84
	W. B. Richardson, Senator,		588
	W. M. Robbins,	"	553
	J. G. Scott,	"	588
	T. M. Shoffner,	"	588
	S. P. Smith,	"	588
	J. W. Stephens,	"	553
	W. H. S. Sweet,	"	588
	G. W. Welker,	"	588
	E. A. White,	"	98
	Richard I. Wynne,	"	427
	T. A. Byrnes, Clerk to the Senate,		863
	J. C. L. Harris, Asst. Clerk "		688
	J. T. Ball, Doorkeeper "		574
	Francis W. Gible, Assistant Door- keeper, Senate,		567
	Cornelius Caldwell, Page, Senate,		252
	E. F. Martin, " "		87

Auditor's Report for the Fiscal

1869.			
April.	Washington Hawkins, Page, Senate,	\$	297
	Joseph W. Holden, Speaker in House of Representatives,		510
	J. J. Allison, Representative,		588
	W. Ames,	"	581
	T. M. Argo,	"	385
	N. E. Armstrong,	"	588
	Joel Ashworth,	"	588
	L. B. Banner,	"	588
	Henry Barnes,	"	588
	S. C. Barnett,	"	588
	E. T. Blair,	"	588
	W. W. Boddie,	"	588
	J. W. Bowman,	"	588
	W. G. Candler,	"	588
	W. Carey,	"	588
	Mathew Carson,	"	588
	Wm. Cawthorn,	"	518
	H. C. Cherry,	"	514
	J. W. Clayton,	"	588
	J. H. Crawford,	"	546
	G. F. Davidson,	"	588
	J. Henry Davis,	"	588
	Joseph Dixon,	"	588
	Plato Durham,	"	588
	Hugh Downing,	"	588
	D. S. Ellington,	"	518
	J. R. Ellis,	"	588
	L. G. Estes,	"	588
	T. Farrow,	"	588
	W. B. Ferreebee,	"	588
	Richard Falconer,	"	588
	F. W. Foster,	"	588
	S. D. Franklin,	"	588
	G. Z. French,	"	588
	G. W. Gahagan,	"	588
	John Gatlin,	"	588
	G. P. Gibson,	"	588
	W. W. Gilbert,	"	588
	G. A. Graham,	"	588
	L. Green,	"	588

Year ending Sept. 30th, 1869.

1869.		Representative,	\$	
April.	W. W. Grier,		588	
	W. T. Gunter,	"	588	
	J. T. Harris,	"	588	
	J. H. Harris,	"	637	
	J. A. Hawkins,	"	588	
	W. T. J. Hayes,	"	350	
	A. L. Hendrix,	"	588	
	Richard Hilliard,	"	441	80
	D. P. High,	"	588	
	B. R. Hinnant,	"	588	
	J. O. Hicks,	"	735	
	David Hodgins,	"	588	
	Phillip Hodnett,	"	588	
	John Hoffman,	"	588	
	S. G. Horney,	"	588	
	I. E. Hudgins,	"	525	
	T. C. Humphries,	"	588	
	D. Ingram,	"	588	
	Thos. J. Jarvis,	"	532	
	J. W. Justice,	"	546	
	W. D. Justus,	"	518	
	Abel Kelley,	"	588	
	J. A. Kelley,	"	588	
	Geo. Kinney,	"	588	
	Byron Laflin,	"	588	
	John S. Leary,	"	560	
	J. B. Long,	"	588	
	R. T. Long,	"	588	
	W. H. Malone,	"	588	
	R. P. Matheson,	"	588	
	C. Mayo,	"	539	
	W. W. McCanless,	"	588	
	J. C. McMillan,	"	588	
	J. R. Mendenhall,	"	588	
	J. A. Moore,	"	588	
	W. A. Moore,	"	611	
	F. G. Moring,	"	588	
	B. D. Morrill,	"	588	
	B. W. Morris,	"	588	
	T. A. Nicholson,	"	588	
	E. M. Painter,	"	588	

Auditor's Report for the Fiscal

1868.		Representative,	\$	
April.	R. C. Parker,			588
	J. T. Pearson,	"		588
	G. P. Peck,	"		413
	E. W. Bond,	"		588
	E. K. Procter,	"		588
	David Proffitt,	"		588
	G. W. Price, Jr.,	"		588
	John W. Ragland,	"		546
	J. J. Rea,	"		588
	J. H. Renfrow,	"		546
	J. T. Reynolds,	"		567
	P. D. Robins,	"		588
	J. L. Robinson,	"		588
	A. S. Seymour,	"		483
	J. M. Shaver,	"		588
	W. B. Siegrist,	"		588
	J. R. Simonds,	"		588
	James Sinclair,	"		693
	J. L. Smith,	"		588
	J. J. Smith,	"		588
	D. E. Smith,	"		588
	E. T. Snipes,	"		588
	G. W. Stanton,	"		588
	A. W. Stevens,	"		581
	H. E. Stilley,	"		504
	I. Sweat,	"		588
	T. A. Sykes,	"		546
	F. Thompson,	"		588
	J. P. Vest,	"		560
	T. M. Vestal,	"		588
	J. E. A. Waldrop,	"		588
	W. P. Welch,	"		588
	Joptha White,	"		588
	R. D. Whitley,	"		588
	L. D. Wilkie,	"		588
	J. H. Williamson,	"		574
	B. C. Williamson,	"		588
	J. C. Williams,	"		588
	S. C. Wilson,	"		588
	A. C. Wiswall,	"		588

Year ending Sept. 30th, 1869.

1868.			
April.	John H. Boner, Clerk House of Representatives,	\$	679
	T. J. Candler, Clerk House of Representatives,		688
	Edgar Miller, Doorkeeper, House of Representatives,		581
	I. B. Abbott, Assistant Doorkeeper House of Representatives,		588
	S. Porcher, Page,		252
	Wm. Hardy, Page,		231
	David W. Harris, Page,		216
	Thos. Austin, Page,		240
	J. A. McDonald, Enrolling Clerk,		661
	J. E. O'Hara, Enrolling Clerk,		252
	W. B. Rich, Engrossing Clerk,		483
	Chas. Hatfield, Assistant Clerk,		399
	J. G. Hort, Assistant Clerk,		380 80
	Albert Kilmer, for 8 days' services Engrossing bills, &c.,		84
	C. D. Upchurch, Assistant Enrolling Clerk,		42
	G. W. Fentress, As'tnt Enrolling Cl'k,		392
	W. S. Belden, " " "		91
	T. H. Hill, " " "		98
	Geo. O. Spooner, " " "		35
	D. A. Wicker, " " "		14
	G. T. Stronach, " " "		14
	L. Hill, " " "		35
	J. G. Davis, " " "		115
	William Wilson, " " "		35
	W. W. Thomas, " " "		35
	W. P. Wetherell, " " "		14
	J. A. Sawyer " " "		35
	Geo. O. Spooner, for transcribing three copies of the 15th amendment to the Constitution of the United States, on parchment, 28x17 inches,		40
	Williams & Lambeth, for sundry articles of stationery,		62
	Sundry persons, under resolution of the		

Auditor's Report for the Fiscal

1869.		
April.	General Assembly, ratified April 10th, 1869, as follows:	
	W. Whitaker, Reporter for the Sentinel,	\$ 100
	J. C. Syme, " " "	100
	R. Steward, " for the Standard,	100
	H. L. Pike, " " "	100
	W. C. Kerr, State Geologist, on account of appropriation for the year 1869,	1,000
	C. W. Horner, Treasurer, Insane Asylum, on account of appropriation for said Asylum for the present fiscal year, ending Sept. 30th, 1866,	20,000
	Angus Lytch and A. Steward, for expenses in carrying William Lytch, an insane person, from Lumberton, North Carolina, to Insane Asylum,	82
	John Lancaster, Deputy Sheriff of Edgecombe County, as expenses for himself and guard for conducting Mrs. Norsly, a patient of the Insane Asylum, to said Asylum,	44
	Thos. Bragg, for collecting of the bondsmen or Joshua Rouse, a patient in the Insane Asylum from the County of Columbus, North Carolina, \$200,	10
	M. Masten, for expenses in conveying Sarah Slover, a patient from Forsyth County, to Insane Asylum,	38 50
	J. G. Hodgin, for conveying Emily Hodgin to Insane Asylum,	28
	John Nichols, Treasurer of the Institution of the Deaf and Dumb and the Blind, on account of appropriation for the support of said Institution, for fiscal year ending Sept. 30, 1869,	8,000
	Thos. Settle, Judge of the Supreme Court, first quarter's salary to April 1st, 1869,	6 25
	Wm. M. Coleman, Attorney General, for services in attending on Supreme	

Year ending Sept. 30th, 1869.

1869.			
April.	Court of North Carolina, during its January Term, 1869,	\$	100
	Wm. M. Coleman, Attorney General, month's salary to March 31st, 1869,		125
	W. B. Rodman, Judge of the Supreme Court, quarter's salary, ending March 31st, 1869,		625
	W. M. Coleman, Attorney General, for two months' salary, to March 1st, 1869,		250
	C. R. Thomas, Judge of Superior Court, quarter's salary, ending March 31st, 1869,		625
	A. W. Tourgee, Judge of Superior Court, quarter's salary, ending March 31st, 1862,		625
	John V. Sherrard, Solicitor 3d Judicial District, for 8 certificates,		320
	J. A. Richardson, Solicitor 4th Judicial District, for 2 certificates,		320
	Neill McKay, Solicitor 5th Judicial District, 5 certificates,		200
	J. W. Albertson, Solicitor 1st Judicial District, 1 certificate,		40
	Ralph P. Buxton, Judge Superior Court, salary for qr. ending April 1st, 1869,		625
	D. A. Wicker, for services as Marshal to the Supreme Court, 46 days, at \$3 per day,		138
	S. W. Watts, Judge of the Superior Court, 1st quarter's salary to April 1st, 1869,		625
	J. J. Martin, Solicitor, for certificate,		40
	C. C. Pool, Judge Superior Court, 1st quarter's salary to April 1st, 1869,		625
	V. C. Barringer, for services as Attorney to Bank. Court and in the matter of Bankruptcy of the Bank of North Carolina,		100
	J. W. Albertson, Solicitor 1st Judicial District, 1 certificate,		40

Auditor's Report for the Fiscal

1869.		
April.	W. R. Cox, Solicitor 6th Judicial District, 5 certificates,	\$ 200
	R. P. Dick, Judge of the Supreme Court.	
	1st quarter's salary to April 1st, 1869,	625
	W. R. Cox, Solicitor 6th Judicial District, 1 certificate,	40
	John A. Richardson, Solicitor 4th Judicial District, 1 certificate,	40
	E. W. Jones, Judge Superior Court, quarter's salary to April 1st, 1869,	625
	D. L. Russell, Jr., Judge Superior Court, quarter's salary to April 1st, 1869.	625
	W. R. Cox, Solicitor 6th Judicial District, 1 certificate,	40
	W. M. Coleman, Attorney General, salary for the month of April,	125
	G. Rosenthal, on account of interest on State coupon bonds,	30
	G. W. Welker, Chairman of Senate Committee on Penitentiary,	197 60
	W. L. Love, for expenses incurred in visiting Columbia, S. C., and Greensboro', N. C., as member of the Penitentiary Committee,	29 50
	John H. Renfrow, for attendance as Commissioner to locate the Penitentiary,	45
	David Hodgin, for expenses incurred in visiting Columbia, S. C., and Greensboro', N. C., as a member of Joint Special Committee to locate Penitentiary,	20 25
	Silas Burns, for hire of carriage and horses, and other expenses incurred as member of Penitentiary Committee,	47
	Thos. A. Nicholson, for expenses incurred in visiting Greensboro' and Company Shops, as member of Joint Special Committee on locating Penitentiary.	5
	Thos. H. Coats, Architect and Engineer	

Year ending Sept. 30th, 1869.

1869.			
April.	of the State Penitentiary, on account of salary,	\$	230
	W. H. Thompson, Superintend't of State Penitentiary, on account of salary,		230
	W. H. Thompson, Superintendent of State Penitentiary, on acc't of salary,		290
	W. D. Justus, Deputy Sheriff. for making returns of election for President and Vice President United States and Members of Congress,		60
	N. Paige, State Printer, for printing done for the General Assembly, as per bill,	2,021	16
	N. Paige, State Printer, for printing for State Department, \$2,735.95, for General Assembly, \$2,389.18,	5,125	13
	C. W. Horner, for examining accounts of Public Printer,		15
	M. S. Littlefield, State Printer, for printing for State and Executive Departments, as per bill,	1,264	48
	J. B. Neathery & Co., for 60 reams of book paper for State Department,		540
	D. C. McAuley, late Sheriff of Montgomery County, for amount overpaid by him on insolvent tax payers for 1866 and 1867,		78
	Sundry persons, under resolutions of General Assembly, ratified April 6th and 12th, 1869, as follows:		
	R. K. Ferrel,		60
	W. D. Jones,		97 50
	W. J. W. Crowder,		150
	Moore and Cashwell,		173
	Wm. Thompson,		40
	Sundry Code Commissioners, on account of the Revised Code, as follows:		
	A. W. Tourgee, for three months' salary at \$200 per month, to May 1st, 1869,		600
	W. B. Rodman, for three months' salary at \$200 per month, to May 1st, 1869,		600

Auditor's Report for the Fiscal

1869.			
April.	V. C. Barringer, for three months' salary at \$200 per month, to May 1st, 1869,	\$	600
	Sundry Sheriffs, for settling taxes, as follows :		
	E. Murrell, Sheriff Onslow County,		29
	T. W. Taylor, Sheriff Henderson "		66
	H. J. Menninger, Sec. of State, three months' salary from January 1st to March 31st, 1869, inclusive,		600
	F. J. Menninger, Clerk in State Department, his quarter's salary to March 31st, 1869,		250
	Silas Johnson, for four days' service in State Department,		10
	Chas. Hatfield, for seven days' service in State Department,		17 50
	H. D. Coley, State Librarian, his 1st qr's salary, ending Mc'h 31st, 1869.		175
	E. J. Hale & Sons, for sundry law books for Supreme Court Library,		25 60
	D. D. Colgrove, one copy of "How to make the Farm pay,"		4 50
	H. D. Coley, State Librarian, sundry newspapers, &c., for State Library,		47
	C. L. Harris, Superintendent Public Works, salary for four months, to May 1st, 1869,		800
	S. S. Ashley, Superintendent Public Instruction, 1st quarter's salary, ending March 31st, 1869,		600
	E. S. Ashley, Clerk to Superintendent Public Instruction, 1st quarter's salary, ending March 31st, 1869,		250
	D. A. Jenkins, Pub. Treasurer, salary from July 7th, 1868, to Jan. 1st, 1869,		1,450 68
	C. W. Horner, Book Keeper Treasury Department, 1st quarter's salary, ending March 31st, 1869,		187 50
	D. A. Jenkins, Public Treasurer, 1st quarter's salary, ending March 31st, 1869,		750

Year ending Sept. 30th, 1869.

1869.			
April.	C. M. Farris, Keeper of Capitol, and Weights and Measures, 1st quarter's salary, ending March 31, 1869,	\$	237 50
	Alexander Turner, waiter in Capitol, one months wages to March 31, 1869,		22 50
	Friday Jones, watchman of Capitol, for one months services to March 31, 1869,		45
	John Harrison, for laying carpet in offices of Auditor and Superintendent Public Instruction,		18 60
	James W. Coleman, for stationery as per bill rendered,		511 33
	K. B. Wait, for making 40 boxes for books, repairing book cases, &c.,		27 50
	H. T. Clawson & Co., for cutting and laying carpet in office of Secretary of State,		10
	H. P. Buncombe, waiter in the Capitol, for services to March 31st, 1869,		22 50
	Western Union Telegraph Company, for telegrams sent and received by Executive and Treasury Departments,		24 41
	Southern Express Company, freight on sundry boxes and packages for the various departments,		11 75
	S. M. Parish, for painting and graining desks and cases in Supreme Court Room and Auditor's office,		36
	John Ransom, painting desk and table and Judges stand in Supreme Court Room,		9 50
	G. R. Kimball, for distributing dockets for Judges of Probate in 16 Counties in the western part of the State,		300
	W. H. & R. S. Tucker & Co., for 167 yards carpet, at \$2 25 per yard, oil cloth, and sundry other articles for use of Capitol,		443 41
	Phil Thiem, 6 baskets, 1 cork screw, \$9, $\frac{1}{2}$ dozen ostrich feather brushes, water bucket and dipper, \$16 75,	✓	25 75

Auditor's Report for the Fiscal

1869.		
April.	W. H. Morris & Co., for book-case and wash-stand, for office of Attorney General,	\$ 38 50
	W. B. Rich, for burial case, hearse hire, &c.,	240
	O. S. Hayes and others, for expenses incurred in accompanying the remains of Hon. D. J. Rich,	435
	John Harrison, repairing carpet and shades in Commons Hall,	9
	G. W. Cobb, distributing registration books for Counties of Pasquotank, Currituck and Camden,	12 26
	John Ransom, 7 days painting in room of Keeper of Capitol,	17 50
	John Ransom, painting book-cases and safe in Auditor's office,	11 50
	Robert Hall, cutting and packing 97½ cords wood,	73 12
	Briggs & Atkins, for making cases and step ladder, furnishing locks, repairing cases, &c., in Supreme Court Room and Auditor's office,	339 25
	C. Strickland and David Boylan, 3 days work on side walk around Capitol and making steps in belfrey,	6 75
	Hatch, Estes & Co., stationery, &c., bought by Secretary of State,	1,296 94
	George W. Nason, 6 cane back walnut chairs, and 6 sets brass castors,	72
	Douglas Bell, 8 tons and 600 pounds coal,	132 95
	Wilmington Post, advertising for Executive department,	60 50
	A. Miller, Postmaster, postage stamps for the various departments during this month,	234 61
	Raleigh Gas Light Company, for gas consumed in Capitol and gate lamps during the months of February and March, 1869,	268

Year ending Sept. 30th, 1869.

1869.			
April.	K. B. Wait and others, for furnishing metallic case, burial expenses and transportation of the remains of the Hon. Richard I. Wynne, Senator,	\$	248
	Southern Express Company, freight on package for Supreme Court Library,		1
	Stewart Ellison, 55 days carpenter's work, at \$2 per day, and 50 feet lum- ber furnished,		110 90
	S. D. Harrison, for brooms, matches, &c.,		23 90
	Wheelwright, Mudge & Co., 20 reams paper for printing Supreme Court Reports, at \$9 50,		190
	Tucker & Co., for crape and ribbon for General Assembly, on account of death of the late Rich and Short, \$135 38, 2 walnut tables, \$48,		183 38
	D. J. Pruyn, 175½ cords wood, at \$4,		702
	S. Branson, 16 loads manure at 50c,		8
	Solomon Bragg, for lighting lamps in Senate Chamber,		6
	Handy Lockhart, repairing chairs, &c., in sundry departments,		28 43
	Raleigh & Gaston Rail Road Company, freight on 1 box furniture,		4 87
	Henry Fendt, 3 water buckets and 1 dipper,		7 10
	Williams & Haywood, paints, oils, leads, &c., used on Capitol,		78 08
	Raleigh & Gaston Rail Road Company, freight on box furniture,		5 87
	Hilliard Bishop, hauling 186 loads dirt and gravel for walks around Capitol Square, at 50c.,		93
	John Armstrong, for lettering record books, and making amercement dock- ets for Supreme Court, \$20 90, day book, ledger and record books for Penitentiary, \$44; index, record and memorandum books for Superinten-		

Auditor's Statement for the Fiscal

1869.			
April.	dent of Public Instruction and Treasury departments, \$15 50,	\$	80 40
	J. H. Ennis, 1 blank book for Treasury department,		1 25
	H. I. Hesselbach, 5 smoke stacks and work done on State House,		34
	W. H. Jones & Co., 1 dozen bottles ink,		9
	Nichols & Gorman, printing done for Auditor's and Treasurer's department,		14
	J. H. Ennis, for stationery for Senate as per bill,		13 35
	H. Bell, for fitting keys and repairing locks in Commons Hall,		6
	R. H. Page, for 2,139 feet lumber for Capital Square,		39 43
	A. W. Fraps, 1 book case,		35
	Southern Express Company, freight on package for State department,		1
	John Ransom, painting case in office of Code Commissioners,		4
	H. Mahler, for seal and press for Superior Courts of the Counties of Gaston, Stanly, Rockingham, Onslow and Alexander,		77 50
	American Bank Note Company, altering bond plates and furnishing bonds and coupons,		1,634 60
	Briggs & Atkins, for building platform and repairing stand in Supreme Court Room, \$77 50; making 5 drawers and furnishing locks in office of Superintendent of Public Instruction, \$5.50,		83
	P. F. Pescud, for sweet oil and sponge,		1 90
	John Armstrong, 39 sets Court dockets, 195 books at \$12.50,		2,437 50
	Friday Jones, Watchman of Capitol, for services to April 31, 1869,		45
	Alex. Turner, waiter in the several Departments in the Capitol,		22 50
	W. R. Richardson, Acting Private Sec-		

Year ending Sept. 30th, 1869.

1869.	retary for sealing 340 State Bonds at 10 cents.	\$	34
May.	A. W. Fisher, Adjutant General, salary for month of April, 1869.		100
	Dr. E. B. Haywood, examination of sundry soldiers who applied for commutation under resolution of General Assembly of March 1st, 1867.		50
	Jas. M. Murphy, commutation for the loss of arm,		50
	Henderson Adams, Auditor, salary for month of April, 1869,		200
	Jno. Armstrong, for binding 1,500 Code of Civil Procedure,		1,125
	Jno. Armstrong, for binding 4,500 laws of 1868 at 5 cents, and 400 laws at 75 cents,		525
	Solomon Bragg and others, for services rendered on Capitol Square and guarding Arsenal,		39
	Andrew Jackson, for services rendered on Capitol Square,		1
	Solomon Bragg and others, services rendered on Capitol Square and guarding Arsenal,		159
	T. A. Byrnes, Secretary Constitutional Convention, for postage on 98 Journals at 32 cents, and 980 copies Constitution and Ordinances at 4 cents,		70 56
	H. J. Menninger, Secretary of State, for 439 copies of Laws furnished Public Printer at \$2, and 108 Resolutions at 50 cents,		932
	W. R. Richardson, Clerk to Executive Department, salary from April 1st, 1869, to May 10th, 1869.		130
	F. M. Keith, for the arrest and delivery to the Sheriff of Guilford County, of Daniel M. Clapp, a fugitive from justice from said County,		200
	G. R. Kimball, under an act prescribing		

Auditor's Report for the Fiscal

1869.			
May.	the power and duty of the Governor in regard to fugitives from justice,	\$	19 75
	Wm. Campbell, under above act,		68 76
	H. P. Phillips, amount of reward for the arrest and delivery of Geo. Johnson, a fugitive from justice, charged with the murder of Wade Ditcher,		200
	J. W. Stephens, under an act prescribing the power and duty of the Governor in regard to fugitives from justice,		110
	W. H. Furman, Administrator of R. I. Wynne, deceased, for 20 days attendance as member of Senate, by the latter,		140
	John Nichols, Treasurer Institution Deaf Dumb and the Blind, on account of the appropriation for said Institution,		5,500
	T. C. Ford, Deputy Sheriff, for expenses incurred in conveying Ruth Galamore to Lunatic Asylum,		21 25
	Jas. Honeycutt, for conveying Elizabeth Whitaker to Lunatic Asylum,		12
	Dr. Montague, interest on State coupon bonds,		30
	John A. Richardson, Solicitor 4th Judicial District, 1 Certificate,		40
	J. W. Albertson, Solicitor 1st Judicial District, 2 Certificates,		80
	Hon. R. M. Pearson, Judge Supreme Court, quarter's salary to April 1st, 1869,		625
	J. J. Martin, Solicitor 2d Judicial District, 2 Certificates,		80
	J. L. Henry, Judge Superior Court, first quarter's salary to April 1st, 1869,		625
	J. W. Albertson, Solicitor 1st Judicial District, 1 Certificate,		40
	Hon. E. G. Reade, Judge Supreme Court, quarter's salary ending April 1st, 1869,		625

Year ending Sept. 30th, 1869.

1869.		
May.	J. A. Richardson, Solicitor 4 Judicial District, 2 Certificates,	80
	Alfred Dockery, for expenses incurred as Commissioner of the Penitentiary, in attendance at meeting at Raleigh,	52
	Phillips & Merrimon, for opinion furnished Commissioners in relation to the powers vested in said Commissioners, to locate and purchase a site and land for the employment of convicts, and the erection of a Penitentiary,	50
	Alfred Dockery, Chairman of the Penitentiary Commissioners, amount of requisition made by said Commissioners to purchase land and to erect temporary building for Penitentiary,	10,000
	G. W. Welker, for expenses incurred in attendance on Penitentiary Com'tee,	12
	C. L. Harris, for travelling expenses as one of the Committee to locate Penitentiary,	32 20
	M. S. Littlefield, for printing for State, during the month of April, 1869, as per bill rendered,	484
	M. S. Littlefield, for printing 100 circulars, ruling and packing tax lists, and sundry job printing,	715 39
	M. S. Littlefield, for printing for State Department,	741 27
	S. S. Ashley, Superintendent Public Instruction, salary for the month of April, 1869,	200
	W. G. Curtis, Quarantine Physician, for port at Wilmington, under an act for the preservation of the public health said port, &c.,	1,433 43
	V. C. Barringer, services as Code Commissioner, for the month of April, 1869,	200

Auditor's Report for the Fiscal

1869.			
May.	A. W. Tourgee, Code Commissioner, salary for the month of May, 1869,	\$	200
	H. J. Menninger, Secretary of State, salary for the month of April, 1869,		200
	S. M. Parish, Clerk in Office Secretary of State, 1 month's services to May 11th, inclusive,		75
	E. J. Hale & Sons, 1 volume English Common Law, \$3.56 ; Alex. Stephens' view of the War, \$5 50,		9 06
	C. W. Horner, Book-keeper, Treasury Department, salary from April 1st, 1869 to May 10th, 1869,		80 95
	Henry C. Cowles, Treasurer Western North Carolina Rail Road Company, for payment of State's subscription of stock to said Rail Road Company, (Eastern Division,)		340,000
	H. P. Buncombe, services as waiter in Capitol, to May 1st, 1869,		22 50
	Southern Express Company, freight on sundry packages shipped to various Counties in this State,		10 50
	P. F. Pescud & Son for seeds, oil and alcohol,		63 05
	S. S. Ashley, Superintendent Public Instruction, expenses incurred in traveling to Chapel Hill, High Point and Wilmington,		8 50
	D. A. Jenkins, Public Treasurer, expenses incurred in going to and from New York, on business for the State,		86 25
	Western Union Telegraph Company, for telegrams sent and received during the month of April by the various Departments,		66 59
	A. W. Fraps, 4 lounges, \$20, \$30, \$45, \$23, each,		118
	Douglas Bell, 1 empty hogshead,		1 50
	Nichols & Gorman, printing for Supreme Court and State Department,		107

Year ending Sept. 30th, 1869.

1869.			
May.	Wm. J. Grant, materials furnished and building stone-wall around Capitol Square outside,	\$	318 73
	Hilliard Bishop, 362 loads sand used for walk around Capitol Square at 50 cts.,		181
	Newbern Daily Times, for advertising sundry proclamations and General Orders,		208
	W. H. Morris & Co., 2 book cases for office of Attorney General,		32
	Southern Express Company freight on 2 packages tax list,		75
	J. N. Bunting, Superior Court Clerk, fees on suits against sundry delinquent Sheriffs for not settling taxes as prescribed by law,		268 75
	T. V. Moss, repairing clock for State Library,		2 50
	Chas. Keuster, for locks, keys and knobs furnished, and putting same on doors of the various departments in Capitol, &c.,		82 15
	Jno. Harrison, work done in Supreme Court Clerk's Office and Executive Department,		10
	Raleigh Gas Light Company, gas consumed in Capitol and gate lamps from April 1st to May 1st, 1869, \$58.40; 4 mica shades and 1½ barrels tar \$12,		70 40
	Robert Hall, cutting forty cords wood at 75 cents,		37 50
	F. D. Miller, rent of office for Wm. M. Coleman, Attorney General,		40
	Southern Express Company, freight on 2 packages for Executive Department,		6 20
	Raleigh and Gaston Rail Road Company freight on three boxes and two bundles trees,		34 85
	J. A. Jones, twelve North Carolina Directories for 1869, at \$2,		24

Auditor's Report for the Fiscal

1869.			
May.	S. T. Blackwell, repairing roller used on Capitol Square,	\$	5
	Raleigh and Gaston Rail Road Company freight on 31 bundles paper,		34 54
	Kemp P. Battle, professional services at various times in regard to public taxes, &c.,		500
	Goldsboro' News, publishing Governor's proclamation April 16, 1869,		20
	Augustus Doepp & Co., 16 reams paper for tax list and 62 reams book paper, also 3,100 pounds paper for printing laws \$1.042 40; insurance and cartage on same, \$6 75,		1,049 15
	W. R. Richardson, Private Secretary, for sealing 1,000 bonds issued Wilmington, Charlotte and Rutherford Rail Road Company, as 10 cents,		100
	Raleigh and Gaston Rail Road Company freight on 1 bale carpet,		2 43
	S. Geovani, repairs in sundry offices in Capitol,		1 80
	R. & G. R. Co., freight on 6 bundles chairs and 1 box furniture,		12 40
	Geo. R. Kimball, 23½ days' painting in the various offices in the Capitol,		58 75
	Southern Express Company, freight on 5 packages,		1 50
	W. H. Morris & Co., furniture for Attorney General's office,		51 50
	Lewis Hanes, advertising proclamation of Governor in relation to acceptance of amendment to charter of the Western N. C. R. R.,		12
	W. R. Richardson, Private Secretary, sealing 10 bonds,		1
	S. D. Harrison, water-buckets, dippers, wash-bowls, pitchers, soap, matches and tumblers for offices in Capitol,		30 50
	Alex. Turner, waiter in Capitol, one months' services to May 31st, 1869,		22 50

Year ending Sept. 30th, 1869.

1869.			
May.	Geo. R. Kimball, 48 days' painting in Executive office, office of Private Secretary and State Library, at \$2 50 per day,	\$	120
	D. A. Jenkins, Public Treasurer, traveling expenses to Baltimore on business for State,		39
	Southern Express Company, freight on packages for State Library and State Department,		3 10
	M. Kelly, 109 feet lumber for Capitol Square,		1 60
	Reuben Clawson, making two pair steps for use of Capitol,		11 25
	F. O'Donnell, repairs at Arsenal and water-closet and pipe furnished for latter,		21 38
	S. Geovani, repairs in Treasury Department,		1 90
June.	A. W. Fisher, Adjutant General, salary for the month of May, 1869,		100
	A. W. Fisher, Adjutant General, for expenses incurred in investigating the Jones County affair and bill for telegraphic dispatches,		13 15
	Geo. W. Duncan, commutation for the loss of a leg,		50
	David Richardson, commutation for the loss of a leg,		50
	H. Adams, Auditor, salary for the month of May, 1869,		200
	J. H. Adams and A. J. Partin, for removing papers and books of Auditor's office from Public Treasurer's office and room on second story of the Capitol formerly occupied by the Auditor, to the room now occupied by the Clerk of the Supreme Court, \$60, for moving and arranging papers and books of Auditor's office, caused by the re-		

Auditor's Report for the Fiscal

1869. June.	removal of the same by order of the Supreme Court, \$170,	\$	230
	Henderson Adams, Auditor, salary for the month of June, 1869,		200
	J. H. Adams, Clerk in Auditor's Department, salary for the quarter ending June 30th, 1869,		250
	Kemp P. Battle, for services rendered Auditor's Department in examination of laws and preparing tax lists and other blanks,		100
	John Armstrong, for folding, stitching and packing 160,000 acts of 1868 and 1869 at \$6 per M; 5,000 revenue laws at \$10 per M; 5,000 machinery bills at \$10 per M; 5,000 school bills at \$10 per M; 5,000 Justice's forms at \$10 per M,		1,160
	Solomon Bragg and others, for services rendered on Capitol Square and guarding Arsenal during this month,		140 50
	Hilliard Bishop for 296 loads sand and gravel used for building walk-way around the Capitol Square at 50 cents, and hauling 2 loads poles at \$2,		152
	John Flagg, for hauling 281 loads gravel used for walk-ways in Capitol Square, at 50 cents,		140 50
	H. J. Menninger, Secretary State, amount of bill for copying laws furnished the Executive officers,		51
	W. W. Holden, Governor of North Carolina, two quarter's salary ending June 30th, 1869,		1,250
	W. R. Richardson, Private Secretary, salary from May 10th to June 30th, 1869,		138 33
	C. W. Horner, Chief Clerk in Executive Department, salary from May 10, to June 30, inclusive 1869,		170
	W. H. Sauls, Messenger in Executive		

Year ending Sept. 30th, 1869.

1869.			
June.	Department, salary for the quarter ending June 30th, 1869,	\$	125
	Anderson Butts, balance of reward for the apprehension of murderers of Wade Ditcher,		33 33
	L. D. Wilkie, under "an act prescribing the powers and duty of the Governor, in regard to fugitives from Justice,"		347 90
	J. W. Stephens, under the above named act,		182 20
	A. W. Fisher, for Eli Dampier, under the above named act,		27
	Alexander Bryant, under the above named act,		128 50
	L. D. Wilkie, under the above named act,		145
	Thos. H. Briggs, for one-half dozen tumblers for use of Senate,		2 50
	A. H. Galloway, Senator, for 20 days attendance at \$7,		140
	W. C. Kerr, State Geologist, on account of appropriation for geological survey,		1,000
	C. W. Horner, Treasurer Insane Asylum, on account of appropriation for said Asylum,		6,000
	Wm. Dulin, for expenses incurred in moving Mary Dulin from Asylum,		24 25
	John G. Jones, for bringing Francis Mebrow to the Asylum,		11 25
	John Nichols, Treasurer Institution for the Deaf and Dumb and the Blind, on account of appropriation for the year 1869,		2,000
	A. Hargrave and J. C. Blake, interest on State coupon bonds,		270
	W. R. Cox, Solicitor, for 2 certificates,		80
	R. H. Cannon, Judge Superior Court, 12th district, 1st and 2d quarter's salary,		1,250
	Nichols & Gorman, for printing 165 copies 400 pages of Supreme Court		

Auditor's Statement for the Fiscal

1869.			
June.	Reports, \$600; binding and postage, \$27.98,	\$	627 98
	J. M. Cloud, Judge Superior Court, sal'ry for the quarter ending M'ch 31, 1869,		625
	C. R. Thomas, Judge Superior Court, salary for the quarter ending June 30th, 1869,		625
	J. V. Sherrard, Solicitor 3 certificates,		120
	C. R. Thomas, Judge Superior Court, salary for quarter ending September 30th, 1869,		625
	Neill McKay, Solicitor 5th district, 3 certificates,		120
	J. W. Albertson, Solicitor, 1 certificate,		40
	J. R. Bulla, Solicitor 7th district, 8 certificates,		320
	G. W. Logan, Judge Superior Court, salary for the quarter ending March 31st, 1869,		625
	R. M. Henry, Solicitor 12th district, 1 certificate,		40
	G. W. Logan, Superior Court Judge, salary for the quarter ending June 30, 1869,		625
	R. P. Buxton, Superior Court Judge, salary for the quarter ending June 30, 1869,		625
	W. P. Bynum, Solicitor 9th district, 7 certificates,		280
	A. Mitchell, Judge Superior Court, 1st and 2d quarter's salary, ending June 30th, 1869,		1,250
	Wm. M. Coleman, Attorney General, salary for the month of May, 1869,		125
	E. G. Reade, Judge Supreme Court, salary for the quarter ending June 30th, 1869,		625
	R. M. Pearson, Judge Supreme Court, salary for the quarter ending June 30, 1869,		625

Year ending 30th Sept., 1869.

1869.		
June.	R. P. Dick, Judge Supreme Court, sal'ry for the quarter ending June 30, 1869,	\$ 625
	J. M. Cloud, Judge Superior Court, salary for the quarter ending June 30th, 1869,	625
	Thomas Settle, Judge Supreme Court, salary for the quarter ending June 30th, 1869,	625
	A. W. Tourgee, Judge Superior Court, salary for the quarter ending June 30th, 1869,	625
	W. B. Rodman, Judge Supreme Court, salary for the quarter ending June 30th, 1869,	625
	S. W. Watts, Judge Superior Court, salary for the quarter ending June 30th, 1869,	625
	R. M. Henry, Solicitor 6 certificates,	240
	A. H. Joyce, Solicitor, 5 " "	200
	J. W. Albertson, " 1 " "	40
	Samuel F. Phillips, $\frac{1}{2}$ years salary as Reporter of Supreme Court, ending June 30th, 1869,	300
	J. A. Richardson, Solicitor, 1 certificate,	40
	L. P. Olds, Attorney General, salary for the month of June, 1869,	125
	W. H. Bagley, Clerk Supreme Court, salary from January 18th, 1869, to June 30th, 1869,	455
	R. T. Boshier, under "An act entitled an act to organize Militia of North Carolina,"	100
	Jacob Weil, for clothing for North Carolina Militia,	75
	J. B. Cook, under "An act to organize the Militia of North Carolina,"	237
	D. D. Colgrove, for subsistence of Militia sent to Jones County,	57
	A. R. Dennison, for subsistence furnished Militia in Jones County, and trans-	210

Auditor's Report of the Fiscal

1869.		
June.	porting their baggage from Newbern to Trenton,	\$ 50
	S. M. Parish, for examining account of State Printer,	3
	M. S. Littlefield, State Printer, printing for Executive, Treasury and State departments,	366 08
	M. S. Littlefield, State Printer, printing 704 pages Senate Journals, \$931.39; press work on 44 forms, \$264; printing documents for the Senate, \$37.16,	1,232 58
	S. M. Parish, for examining accounts of State Printer,	3
	M. S. Littlefield, for printing and ruling tax lists and printing circulars for Auditor's department,	58
	M. S. Littlefield, State Printer, for publishing 611 pages State laws for State department,	1,222
	C. L. Harris, for expenses incurred in attending the session of the committee of investigation of the affairs of the Albemarle and Chesapeake Canal Company,	95 78
	T. C. Humphreys, for 23 days services as one of a committee to investigate the affairs of the Atlantic and Chesapeake Canal Company,	92
	William Hardie, in accordance with a joint resolution of the General Assembly in relation to Banks,	6
	R. P. Finch, for services rendered, as Clerk to the Examining Committee under the above resolution,	35
	Byron Laffin, for services rendered, and expenses incurred in attendance on committee appointed by joint resolutions of General Assembly in relation to Banks,	119
	O. S. Hayes, attendance on committee	

Year ending Sept. 30th, 1869.

1869. June.	and expenses incurred as per above resolution in regard to Banks,	\$	126
	W. A. Moore, for services as a member of the committee to investigate the affairs of the Chesapeake Canal Company,		196
	John Gatling, 20 days services as one of the committee to investigate the affairs of above named Canal Company,		92
	F. G. Martindale, 23 days services as member of the above named committee and Canal Company,		92
	V. C. Barringer, Code Commissioner, salary for month of May, 1869,		200
	A. W. Tourgee, salary for the month of June, 1869,		200
	J. Busbee, 1 days labor in office of Secretary of State,		75
	J. J. Sawyer, services as Clerk to Secretary of State, from April 12th, 1869, to May 12th, 1869,		75
	H. J. Menninger, Secretary of State, salary for May, 1869,		200
	J. J. Sawyer, for services as Clerk to Secretary of State, from May 12th, to June 11th, inclusive,		75
	S. M. Parish, Clerk to Secretary of State, from May 12th, to June 11th, 1869, inclusive,		75
	F. J. Menninger, Clerk to the Secretary of State, salary quarter ending June 30th, 1869,		250
	H. J. Menninger, Secretary of State, salary for June, 1869,		200
	T. H. Hill, 5 copies Poems for State Library,		7 50
	E. J. Hale & Sons, one copy English Common Law, State Library,		3 56
	J. A. Jones, Saunders on "Uses and Trust," State Library,		5 50

Auditor's Report for the Fiscal

1869.			
June.	H. D. Coley, State Librarian, salary for quarter ending June 30, 1869,	\$	175
✓	C. L. Harris, Superintendent Public Works, 2 months salary, ending June 30th, 1869,		400
✓	S. S. Ashley, Superintendent Public Instruction, salary for months of May and June, 1869,		400
	E. S. Ashley, Clerk to Superintendent Public Instruction, salary for quarter ending June 30, 1869,		250
	C. M. Farriss, Keeper of Capitol, and Weights and Measures, salary for quarter ending June 30th, 1869,		237 50
	D. A. Jenkins, Public Treasurer, salary for quarter ending June 30, 1869,		750
	D. W. Bain, Chief Clerk in Treasury Department, salary for quarter ending June 30th, 1869.		375
	A. D. Jenkins, Teller for Treasury, salary for quarter ending June 30th, 1869,		250
	E. D. Jobe, salary from May 10th to July 1st, 1869, as Clerk in Treasury Department at \$750 per annum,		103 50
	Raleigh & Gaston Rail Road Company, freight on 4 bundles and 2 cases Stationery,		31 02
	Southern Express Company, freight on packages for Executive Department and State Library,		4 55
	S. M. Parish, for painting gilt signs for Superintendent Public Instruction and Private Secretary,		9
	J. T. Backalan, for travelling expenses incurred in conveying respite for Geo. Johnson, (Bayline) to Sheriff of Halifax County,		25
	H. P. Buncombe, services for May, as waiter in Capitol,		22 50
	Western Union Telegraph Company, telegrams sent and received by Executive,		

Year ending 30th Sept., 1869.

1869. June.	State and Treasury Departments for May and June 1st, inclusive,	\$	120	34
	M. S. Littlefield, State Printer, 70 reams book paper, at \$9 per ream,		630	
	Raleigh & Gaston Rail Road Company, freight on 10 bundles paper,		10	83
	Southern Express Company, freight on sundry packages,		12	40
	W. R. Richardson, Private Secretary, sealing 2,100 bonds Western North Carolina Rail Road,		210	
	Raleigh & Gaston Rail Road Company, freight on 3 cases stationery,		7	11
	Asheville Pioneer, publishing Govern- or's proclamations of the 8th and 16th of April, 1869,		57	
	Friday Jones, Watchman in Capitol, services for May, 1869,		45	
	Jno. Harrison, sewing and laying carpet, hanging shades, &c., in sundry rooms in Capitol,		43	
	Southern Express Company, freight on tax books, &c.,		14	50
	Jacob A. Sowers, Sheriff, travelling 220 miles to make election returns of Da- vidson County, held November 3d, 1868, for electors of President and Vice President of United States and members of Congress,		22	
	Armistead James, for mowing hay and stacking same in Capitol Square,		12	
	John Cox, moving furniture of Attorney General,		1	
	Henry Biggs, 6 days services in various offices in Capitol,		4	50
	Lougee and Bro., tin cups, plates, knives, &c., for Militia under Capt. Bosher,		8	85
	G. R. Kimball, 55 days painting in Treasurer's office, and iron fence around Capitol Square,		137	50
	D. Appleton & Co., amount of bill for			

Auditor's Report for the Fiscal

1869.			
June.	books purchased by Secretary of State, on account of State Library, including \$1 75 freight on box for Treasury Department,	\$	738 43
	Thos. H. Briggs, sundry articles for use of Capitol as per bill,		80 42
	Southern Express Company, freight on box from New York for Treasury department,		1 75
	Aug. Doepp & Co., for 101 7-12 reams paper for publication of laws, insura'ce included, \$1,024.34; 16 reams paper for tax books, \$120.64; ruling and binding same, \$109.88,		1,254 86
	H. J. Menninger, Secretary of State, expenses incurred in going to New York for the purchase of books and printing paper,		64
	John Armstrong, 2 record books, for Executive department, \$50; 10 Court dockets for Judge Supreme Court, \$15,		65
	Newbern Daily Times, publish'g stat'ts of the State, according to sections 17, 18 and 19, concerning the powers and duties of State officers,		410
	Raleigh & Gaston Rail Road Company, freight on stationery, &c.,		12 74
	Southern Express Company, freight on one box for Treasury department,		1 75
	W. R. Richardson, Private Secretary, sealing 25 bonds (funding,)		2 50
	Southern Express Company, freight on package for Treasury department,		1 75
	Raleigh Sentinel, advertising on account to provide for the collection of taxes by the State and by the several Counties of the State,		7 50
	Henry Biggs, 6 days services as waiter in Supreme Court Room,		4 50
	G. R. Kimball, 49 $\frac{1}{4}$ days painting in		

Year ending Sept. 30th, 1869.

1869.			
June.	Treasury departm't, on Capitol building, and fence around Capitol at \$2.50 per day,	\$	123 12
	K. B. Wait, making boxes, shelving and plank furnished for same,		17 70
	Aug. Doepp & Co., amount of bills for stationery, May 31 and June 4, 1869,		764 51
	Southern Express Company, freight on sundry packages,		3 50
	Nichols & Gorman, printing for Auditor's department,		26
	Southern Express Company, freight on packages from New York for Treas'ry department,		1 75
	W. H. Morriss & Co., 9 yards enameled cloth, &c.,		11 50
	Southern Express Company, freight on box from New York,		1 75
	Briggs & Atkins, for making 2 steps for painters and furnishing 3 pieces pl'k,		4 75
	W. G. Briggs, making and raising flag pole on Capitol, and work done in office Superintendent Public Works,		70 50
	G. R. Kimball, putting iron safe in office of Superintendent Public Instruction on 3d floor of Capitol,		40
	H. T. Clawson, painting fire screens and window shades, &c., for various offices in Capitol,		52
	Southern Express Company, freight on one box and 2 packages for Treasury department,		3 50
	James Heaton, 12 days services as special officer for Committee of Investigation of the affairs of Albemarle and Chesapeake Canal Company, at \$3 per day,		36
	Henry Biggs, 6 days services as waiter in Supreme Court Room,		4 50
	Southern Express Company, freight on packages from New York,		2 50

Auditor's Report for the Fiscal

1869.			
June.	S. M. Parish, painting gilt sign for Adjutant General's office,	\$	3 50
	H. P. Buncombe, for 1 month's services as waiter in Capitol, June 30, 1869,		22 50
	Alexander Turner, 1 month's services as waiter in Capitol to June 30th, 1869,		22 50
	W. R. Richardson, Private Secretary, sealing 1,500 bonds for Western (Coal-fields) Rail Road Company, at 10c.,		150
	Southern Express Company, freight on packages for Executive, Treasury and Auditor's departments,		2 50
	W. R. Richardson, Private Secretary, sealing 273 bonds Western North Carolina Rail Road Company at 10c.,		27 30
	Battle & Sons, for professional services rendered Treasury department under an act authorizing Public Treasurer to employ counsel,		5 00
	Raleigh Gas Light Company, gas consumed in Capitol and gate lamps, from May 1, to June 1, 1869,		40
	Friday Jones, Watchman in Capitol, 1 month's services to July 1, 1869,		45
	M. S. Littlefield, State Printer, printing 400 Circulars for Superintendent Public Instruction,		10
	Henry Biggs, 6 days services as waiter in Supreme Court Room,		4 50
	D. R. Newsom, North Carolina Rail Road Company, freight on 14 boxes guns, &c.,		15 85
	W. R. Richardson, Private Secretary, sealing 300 bonds for North Carolina Western Rail Road Company at 10c.,		30
	H. T. Clawson, 1 pair window shades and fixtures for office of Private Secretary,		23 95
	Southern Express Company, freight on package for Executive department,		2
	Southern Express Company, freight on		

Year ending Sept. 30th, 1869.

1869.			
June.	package for Treasury and Auditor's department,	\$	2 50
	Geo. W. Swepson, President Western North Carolina Rail Road Company, Western Division, in State coupon bonds, on account of State's subscription of stock to said Company,	2,187,000	
	J. J. Mott, President Western North Carolina Rail Road Company, Eastern Division, in State coupon bonds on account of State's subscription of stock to said Company,	273,000	
	R. H. Cowan, President Wilmington Charlotte and Rutherford Rail Road Company, in State coupon bonds, on account of State's subscription of stock to said Company,	1,000,000	
July.	A. W. Fisher, Adjutant General, salary for the month of June, 1869,	100	
	Lewis Hanes, for publishing Governor's Proclamation in relation to "An act amendatory of an act to incorporate the Western North Carolina Rail Road,"	14	
	Western Union Telegraph Company, for telegrams sent and received by the State and Treasury departm'ts during the month of June, 1869,	14 42	
	Forest Manufacturing Company, for paper furnished the State as per bill,	2,500	
	Western Union Telegraph Company, for telegrams sent and received by Executive department during the month of June, 1869,	35 25	
	W. R. Richardson, Private Secretary, for sealing 87 bonds for Western North Carolina Rail Road Company, at 10c.,	8 70	
	Southern Express Company, freight on packages from New York to other points,	6	
	Asheville Pioneer, for publishing Gov-		

Auditor's Report for the Fiscal

1869. July.	ernor's Proclamation in relation to Western North Carolina Rail Road Company,	\$	21
	Henry Biggs, for services as waiter 1 week,		4 50
	John W. Harrison, for hanging window shades in Executive department, and laying oil cloth on counter in Treas'ry department,		8
	Southern Express Company, freight on package from New York,		1
	Raleigh & Gaston Rail Road Company, freight on 4 boxes minutes and 1 box dockets for State department,		15 77
	G. W. Swepson, freight paid by him on 13 boxes State bonds for Treasury department,		23 25
	Williams & Lambeth, for ink furnished Treasury department,		6 15
	Augustus Doepp & Co., for 100 1 quire minute dockets indexed, paged and ruled, for the several Counties in the State,		1,166 67
	Southern Express Company, freight on County dockets, shipped to sundry Counties in the State,		11 25
	Williams & Lambeth, for stationery, Sentinel office, for publishing Governor's proclamation in relation to filling the vacancy in the 19th Senatorial District, caused by the death of Hon. R. I. Wynne,		10 90
	Southern Express Company, freight on package from Baltimore,		15
	Henry Biggs, for services as waiter in Supreme Court room one week,		2
	G. W. Wynne & Co., for the hire of horse and buggy for the use of Adjutant General's Department,		4 50
	Southern Express Company, freight on sundry packages,		5
			1 50

Year ending Sept. 30th, 1869.

1869.			
July.	C. J. Rogers, Post Master, for amount of postage accounts for the various Departments to July 1st, 1869,	\$	654 66
	J. C. Blake, for premium on draft on New York for \$2,040 30,		5 10
	Raleigh & Gaston Rail Road Company, freight on office table,		1 55
	W. H. Soper, for 1,000 copies lithograph plans for public school houses and electrotypes of cuts of plans, &c., for same,		71 25
	W. R. Richardson, Private Secretary, for sealing 20 bonds for funding purposes,		2
	Southern Express Company, for freight on sundry packages,		9 05
	Henry Biggs, for services as waiter in Supreme Court 1 week,		4 50
	J. A. Jones, for blank book,		1 30
	J. Armstrong, for repairing and lettering State Record books and making day book, journal and ledger for Auditor's Department,		186 50
	Phil. Thiem, for 3,665 pounds ice furnished the various departments to 1st July, 1869, at 3½ cents, also one flag pole for Capitol and sundry buckets and brushes,		186 78
	Southern Express Company, freight on package shipped by Executive and Treasury Departments,		9
	Ellison & Norwood, for repairing desk in office of Superintendent Public Instruction,		1
	Southern Express Company, freight on 3 packages for Treasury Department,		6 90
	C. L. Harris, Superintendent Public Works, postage for his department,		14 95
	James H. Enniss, for stationery for State and Treasury Departments,		30 95

Auditor's Report for the Fiscal

1869.			
July.	Henry Biggs, for services as waiter in Supreme Court room one week,	\$	4 50
	A. W. Fraps, for lounges for the following departments: Treasury, 1 at \$30, Auditor's, 1 at \$30, Adjutant General's 1 at \$20, also 1 wash stand each for Executive Department and Supreme Court room, at \$4 50 each,		89
	Geo. Graham, for felling and cutting up oak tree in Baptist Grove,		3 50
	Wilmington Post, for advertising sundry proclamations of the Governor in relation to fugitives from justice, Western North Carolina Rail Road Company, &c.,		84
	Southern Express Company, freight on packages for Superintendent Public Instruction, Treasury and Executive Departments,		2
	Alex. Turner, for services as waiter in Capitol for the month of July, 1869,		22 50
	H. P. Buncombe, for services as waiter in Capitol, month of July, 1869,		22 50
	Raleigh Gas Light Company, for gas consumed in the Capitol and gate lamps, during the month of July, 1869,		60 40
	Friday Jones, watchman in Capitol, for services month of July, 1869,		45
	Southern Express Company, freight on sundry packages for Treasury Department,		1
	Sentinel office, for advertising for Treasury Department,		7
	Western Union Telegraph Company, for Telegrams sent and received during this month by Executive, Treasury and State Departments,		75 34
	Andrew Jackson, for hauling four loads rubbish,		1
	Solomon Bragg and others, for services		

Year ending Sept. 30th, 1869.

1869.		
July.	rendered on Capitol Square and guarding Arsenal 1 month,	173 25
	Douglas Bell, for hire of dray for use of Capital Square,	1 50
	H. J. Menninger, Secretary of State, for furnishing copies of General Statutes to "Raleigh Standard" and other Journals, making 1988 folios at 20c.,	397 60
	L. H. Mowers, under "an act prescribing the powers and duties of the Governor, in regard to fugitives from justice,	150
	Chas. A. Rose, for the arrest of Robert Maderhill,	102 16
	J. W. Stephens, under an act prescribing the powers and duties of the Governor in regard to fugitives from justice,	50
	J. W. Boman, for C. R. Garland, Chief Detective, appointed by Governor Holden according to law,	100
	B. Bulla, under an act prescribing the power and duties in regard to fugitives from justice,	200
	C. R. Garland, under the above act in regard to fugitives from justice,	84 41
	Lougee & Brother, bill of sundries for State Geologist,	55
	Thos. H. Briggs, bill of sundries for State Geologist,	244 11
	W. C. Kerr, State Geologist, under section 10 of chapter 2 Revised Code,	1,700 89
	Raleigh & Gaston Rail Road Company, freight shipped for State Geologist,	4 69
	John Nichols, Treasurer, Institution Deaf and Dumb and the Blind, on account of appropriation for said Institution for 1869,	2,000
	C. W. Horner, Treasurer Insane Asylum, on account of appropriation of said Asylum, for the year 1869,	4,000

Auditor's Report for the Fiscal

1869. July.	C. W. Horner, Treasurer Insane Asylum, on account as per above,	3,000
	Dr. E. Grissom, expenses for conveying Lewis Rose to Asylum,	37 75
	J. B. Paul, per Dr. E. Grissom order on Public Treasurer,	11 25
	State National Bank, for interest on funds advanced by said bank to pay interest accruing October 1st, 1860 on public debt,	272 81
	W. P. Caldwell, Solicitor 10th Judicial District, 7 certificates,	280
	Seaton Gales, Attorney for Judge J. S. Henry, salary for quarter ending June 30, 1869,	625
	E. W. Jones, Judge Superior Court, on account 2d quarter's salary ending June 30, 1869,	325
	Col. Anderson, for C. C. Pool, Judge Superior Court, on account 2d quarter's salary ending June 30, 1869,	525
	Daniel L. Russell, Judge Superior Court salary for quarter ending June 30th, 1869,	625
	A. H. Joyce, Solicitor 8th Judicial District, for attendance at Superior Court in the Counties of Surry and Yadkin,	80
	J. R. Bulla, under resolution authorizing Governor to employ counsel in certain cases,	100
	D. A. Wicker, Marshal Supreme Court, 47 days' service at \$3 per day,	141
	L. P. Olds, Attorney General, attendance upon Supreme Court, during June term, 1869,	100
	Hon. C. C. Pool, balance due him on quarter's salary ending June 30, 1869,	100
	J. R. Bulla, Solicitor 7th Judicial District, 2 certificates,	80
	D. D. Colgrove, for subsisting detailed militia in Jones County,	150

Year ending Sept. 30th, 1869.

1869. July.	A. W. Fisher, Adjutant General, for amounts due members of Company A, No. 5, North Carolina Detailed Militia, as per muster and pay roll,	\$	597 76
	A. W. Fisher, Adjutant General, for amount due Capt. R. T. Bosher, Company A, No. 5, North Carolina detailed Militia, for services rendered and expenses incurred in said Company,		79 63
	Lieut. G. T. Tonnofski, Company A., for services rendered, &c.,		152 60
	J. S. Montgomery, expenses incurred as Engineer of Marion and Asheville Turnpike Company,		40
	M. S. Littlefield, State Printer, for advertising meeting of Board of Committee on Banks, printing summons, and paper furnished,		10
	M. S. Littlefield, State Printer, printing for the various Departments of State,		232
	M. S. Littlefield, State Printer, for composition on 224 pages public laws, 2,209ms per page, and press work on 14 forms, 72 tokens per form,		1,502 81
	S. M. Parish, examining accounts of public printer,		6
	M. S. Littlefield, State Printer, printing for State Department,		1,095 01
	J. C. L. Harris, for indexing Senate Journal,		100
	Samuel T. Carrow, Sheriff of Beaufort County, expenses incurred in travelling 280 miles to furnish returns of election of President and Vice President U. S. and members of Congress,		28
	V. C. Barringer, Code Commissioner, salary for June, 1869,		200
	W. B. Rodman, Code Commissioner, services for 2nd quarter ending June 30th, 1869,		600
	S. M. Parish, for services from June 12		

Auditor's Report for the Fiscal

1869.			
July.	to July 11, 1869, as Clerk to Secretary of State,	\$	75
	J. J. Sawyer, Clerk to Secretary of State from June 12 to July 11, 1869,		75
	C. L. Harris, Superintendent of Public Works, salary for month of July,		200
	Little, Brown & Co., subscription to American Law Review, 1869,		5
	T. & J. W. Johnson & Co., 1 law report 1868, 6 vols., bound,		26
	J. B. Neathery & Co., Daily Standard from April 24, 1869, to April 24, 1870,		10
	E. J. Hale & Sons, books purchased for Supreme Court,		114 60
	Jno. Armstrong, repairing and lettering for State Library,		13 85
	S. T. Carrow, Sheriff Beaufort County, settling taxes for 1867,		37 50
	G. W. Swepson, President Western N. C. Rail Road, Western Division, part payment of note for \$100,000, dated April 8, 1869,		13,333 33
	G. W. Swepson, President Western N. C. Rail Road, Western Division, part payment of note for \$100,000, dated April 8, 1869,		3,540 10
	G. W. Swepson, President Western N. C. Rail Road, Western Division, State coupon bonds at par, for subscription by State of North Carolina in said road,		\$,000,000
Aug.	A. W. Fisher, Adjutant General, salary for July, 1869,		100
	Anderson Cain, commutation for a leg,		50
	John McMairy, commutation for a leg,		50
	Henderson Adams, Auditor of State, salary for July, 1869,		200
	John Armstrong, binding 300 documents session 1868-'69, at 75 cents,		225
	Williams & Haywood, spirits turpentine, linseed oil, lead, varnish, glue,		

Year ending Sept. 30th, 1869.

1869.			
Aug.	&c., used in painting fence around Capitol Square and sundry rooms in Capitol,	\$	346 63.
	Solomon Bragg and others, services rendered on Capitol Square and guarding Arsenal month of August,		142 50
	D. B. Wharton, 60 days' services as Superintendent on survey of Turnpike Road in the Counties of Carteret and Craven,		120
	Frank Fenderson, 60 days' labor in surveying said road,		90
	John Simpkins, 60 days' services as surveyor of said road,		180
	John E. Henry, 60 days' services as commissioner of said road,		120
	Lewis Stephens, 60 days' services as laborer on said road.		90
	Jas. E. Whitehurst, 60 days' services as Commissioner on survey of said road,		120
	S. S. Ashley, Superintendent Public Instruction, salary for July, 1869,		200 ✓
	Sundry persons, under an act prescribing the powers and duties of the Governor in regard to fugitives from justice, as follows;		
	W. J. Clarke,		50
	J. W. Stephens,		30
	L. H. Mowers,		200
	A. W. Fisher, Adjutant General,		450
	L. H. Mowers,		113 25.
	John H. Boner, making Index to Journal to House of Representatives, session 1868-'69,		100
	A. W. Stevens, one day's attendance as member House of Representatives,		7
	C. W. Horner, Treas. Insane Asylum, on account appropriation of said Asylum, 1869,		4,000
	J. P. Browley, expenses incurred in going home,		11

Auditor's Report for the Fiscal

1869.			
Aug.	F. N. Jordan, conveying Bird Gunn to Asylum,	\$	35 10
	C. F. Silver, for conveying N. J. Silver to Asylum,		57
	M. Masten, for conveying Ann Fou to Asylum,		41 50
	John Nichols, Treas. Institution Deaf, Dumb and Blind, on account appropriations to said Institution for 1869,	3,000	
	J. C. Blake, interest on State coupon bonds,		30
	H. J. Cowles, interest on State coupon bonds,		30
	L. P. Olds, Attorney General, salary for July, 1869,	125	
	W. R. Cox, Solicitor 6th Judicial District, 1 certificate,		40
	T. T. Hollowell, one pine coffin for W. H. Putney, late member of Company No. 5, N. C. detailed militia,		3 75
	D. D. Colgrove, wood, rations and team furnished, and for rent of quarters for Company No. 5 N. C. detailed militia,	111	05
	Newbern Daily Times, printing 14 forms badges and ribbon furnished for same for N. C. detailed militia, Companies No. 26 and 27,		18 80
	W. T. Robinson, M. D., for professional services rendered Wm. H. Putney, dec'd, late member of N. C. militia,		15
	A. W. Fisher, Adjutant General, travelling expenses while supervising the N. C. militia.		63 75
	S. D. Franklin, expenses incurred in locating Penitentiary,		5
	A. Dockery, Chairman of Committee for locating and erecting Penitentiary,	5,000	
	J. B. Neathery & Co., printing pay rolls for use of keeper of Capitol,		3
	M. S. Littlefield, State Printer, compo-		

Year ending Sept. 30th, 1869.

1869.			
Aug.	sition 160 pages public laws and press work on 10 forms public laws, M. S. Littlefield, State Printer, printing circulars, letter heads, &c., for State Department,	\$	1,073 04
	M. S. Littlefield, State Printer, printing for same,		41
	S. M. Parish, examining accounts of State Printer,		23
	M. S. Littlefield, State Printer, printing laws per order of State Department,		3
	M. S. Littlefield, State Printer, printing for Executive, Auditor and Treasury Departments,		496 12
	M. S. Littlefield, State Printer, composition on 112 pages public laws and press work on 7 forms public laws,		92
	L. S. Farlaw, 1 sail boat, called the North State, including sails, oars, anchors, &c., for Beaufort harbor, North Carolina,		751 40
	Wm. Grimes, amount allowed by General Assembly to Wm. Thompson, W. D. Jones, Wm. Grimes and R. K. Ferrell,		175
	V. C. Barringer, Code Commissioner, salary for July, 1869,		259 93
	A. W. Tourgee, Code Commissioner, salary for July, 1869,		200
	J. N. Uzzle, making election returns in the 19th Senatorial district, August 5th, 1869,		200
	H. J. Menninger, Secretary of State, salary for July, 1869,		11 16
	J. J. Sawyer, Clerk in State department, salary from July 12th, to August 11,		200
	S. M. Parish, Clerk in same, salary from July 12th to August 11, 1869,		75
	S. M. Parish, Clerk in same, salary from August 12th, to 31, 1869,		75
			50

Auditor's Report for the Fiscal

1869.			
Aug.	Andrew Syme, Clerk in same, salary from August 1, to 31st,	\$	75
	W. R. Richardson, Private Secretary, sealing 10 bonds at 10 cents,		1
	Southern Express Company, freight on packages for Treasury and State Departments,		2 95
	H. Bishop, hauling 12 loads wood and rock to Capitol Square,		6
	Newbern Daily Times, publishing 50 6-20 columns (Standard measure,) laws of North Carolina,		251 22
	R. C. Badger, services rendered the State in representing the Governor in the Wilmington, Charlotte & Rutherford Railroad meeting for re-organization held at Wilmington,		318 25
	H. Fendt, 3 office baskets,		4 25
	S. F. Phillips and K. P. Battle, professional services rendered in injunction against C. L. Harris, Superintendent Public Works,		500
	H. C. Smith, altering copper pipe and work done on Capitol,		56
	Southern Express Company, freight on 27 boxes books for State Departm't, and sundry packages for Treasurer's Department,		32 25
	Henry Biggs, for 12 days services as waiter in Supreme Court Room at 75 cents,		9
	Forest Manufacturing Company, 200 reams number 1 book paper at \$10		2,000
	Wilmington Post, for publishing laws of North Carolina, 132 6-20 columns, (Standard measure,) at \$5,	\$	661 22
	Asheville Pioneer, publishing 80 columns laws of North Carolina, (Standard measure,) at \$5,		400
	Raleigh Gas Light Company for gas consumed in Capitol and gate lamps, month of July, 1869,		56

Year ending Sept. 30th, 1869.

1869.			
Aug.	Wm. H. Bernard, for publishing in Morning Star, Governor's Proclamation in relation to Wilmington, Charlotte and Rutherford Railroad,	\$	10
	Southern Express Company, freight on packages for Treasury and Auditor's departments,		3 90
	Jas. H. Ennis, 1 day book, journal and ledger for use of Board of Education,		25
	Southern Express Company, freight on sundry packages for the various departments,		12 25
	Engelhard & Price, for advertising for Executive department,		47
	Reuben Clawson, for making and repairing steps in capitol,		5
	Douglas Bell, 1 box toilet soap, use of capitol,		6
	Friday Jones, watchman of capitol, services for the month of August, 1869,		46 50
Sept.	Dr. Wm. Little, for medical examination of John W. McNairy, an applicant for commutation for the loss of a leg,		5
	Henderson Adams, Auditor, salary for the month of August, 1869,		200
	James H. Adams, Clerk in Auditor's department, salary for 3d quarter ending Sept. 30th, 1869,		250
	Henderson Adams, Auditor, salary for month of September, 1869,		200
	A. J. Partin, salary for the month of September, 1869, as Clerk in Auditor's department,		75
	Solomon Bragg and others, for services rendered on capitol square, and guarding arsenal 4 weeks,		141 75
	W. R. Richardson, Private Secretary, 3d quarter's salary, 1869,		250
	W. H. Sauls, Messenger in Executive		

Auditor's Report for the Fiscal

1869. Sept.	department, 3d quarter's salary, 1869,	\$	125
	C. W. Horner, Clerk in Executive department, 3d quarter's salary, 1869,		300
	Samuel T. Carrow and S. F. Weatherston, for the arrest of Samuel McGlovehour, <i>alias</i> Samel Stocks, a fugitive from justice,		300
	L. H. Mowers, under an act concerning the power and duty of the Governor in regard to the fugitives from justice,		486 50
	P. A. Wiley, for A. J. Davis, for the arrest of Shoemaker John, a fugitive from justice,		100
	W. H. Huskey, under an act concerning the duty and power of the Governor in regard to fugitives from justice,		99 25
	J. F. Patterson, interest on State coupon bonds,		30
	C. W. Horner, Treasurer Insane Asylum, on account of appropriation of said Asylum, for the fiscal year, ending Sept. 30th, 1869,		5,000
	J. J. Ward, for expenses incurred in moving from Asylum,		15
	John Nichols, Treasurer Institution Deaf and Dumb and the Blind, on account of said Institution for the year 1869,		2,000
	L. P. Olds, Attorney General, salary for the month of August, 1869,		125
	Hon. R. H. Cannon, Judge Superior Court 12th judicial district, on acc't of 3d quarter's salary, 1869,		125
	Hon. E. W. Jones, Judge Superior Court, 2d judicial district, balance due on 3d quarter's salary, 1869,		200
	W. R. Cox, Solicitor, 1 certificate of attendance at Warren Superior Court,		40
	Hon. Thomas Settle, Judge Supreme Court, 3d quarter's salary, 1869,		625

Year ending Sept. 30th, 1869.

1869.			
Sept.	J. J. Martin, Solicitor, 2d Judicial District, 1 certificate,	\$	40
	J. W. Albertson, Solicitor, 1st Judicial District, 1 certificate,		40
	Chas. Burlison, services as Commissioner on Marion and Asheville Turnpike from June 21st to August 30th, 1869, 61 days at \$3 per day,		183
	J. S. Montgomery, 2½ months services on above Turnpike as Civil Engineer at \$100 per month and expenses incurred in the field,		332 03
	David W. Ellis, 65 days services as Commissioner on said Turnpike at \$3		195
	C. Burlison and D. W. Ellis, Commissioners on M and A. Turnpike, to pay for services of assistant engineers,		1,121 75
	C. M. Farriss, Keeper of Arsenal at Raleigh, salary for the year ending September 1st, 1869,		60
	M. S. Littlefield, State Printer, for printing public laws, press work on same, ruling and binding and printing reports of railroad companies for Superintendent Public Works,		759 74
	M. S. Littlefield, State Printer, printing public and private laws,		561 09
	S. M. Parish, 1 day's service in examining accounts of Public Printer,		3
	Hon. A. W. Tourgee, Code Commissioner, salary for month of August, 1869,		200
	W. G. Curtis, quarantine physician at port of Wilmington, for quarantine regulations of said port,		2,175
	W. G. Curtis, quarantine physician, to pay salaries and monthly pay of boat crew,		340
	ohn Davis, 1 month's services as one of the crew in taking care of boat, &c., for quarantine purposes,		25

Auditor's Report for the Fiscal

1869. Sept.	W. Hanly, 1 month's pay for taking care of quarantine boat,	\$	20
	F. J. Menninger, Chief Clerk State Department, salary for the quarter ending Sept. 30th, 1869,		250
	S. M. Parish, Clerk in State Department, salary month September,		75
	Andrew Syme, Clerk in State Department, salary month September,		75
	S. S. Ashley, Superintendent Public Instruction, salary for month Aug., 1869,		200
	E. S. Ashley, Clerk in office of Superintendent Public Instruction, quarter's salary ending Sept. 30th, 1869,		250
	C. L. Harris, Superintendent Public Works, salary for the months of August and September, 1869,		400
	Thos. Hampson, Clerk in office of Superintendent Public Works, salary for the months of August and September, 1869,		150
	C. M. Farriss, Keeper of Capitol and weights and measures, salary for the quarter ending September 30th, 1869,		237 50
	A. D. Jenkins, Teller in Treasury Department, salary for the quarter ending Sept. 30th, 1869,		250
	H. P. Buncombe, waiter in Capitol, services month August, 1869,		22 50
	Alexander Turner, for services as waiter in Capitol, month August, 1869,		22 50
	Phil. Thiem, for 1,766 pounds ice at $3\frac{1}{2}$ cents furnished Supreme Court during Spring term, 1869,		61 81
	Western Union Telegraph Company, for telegrams sent and received by sundry departments during month of August, 1869,		103 80
	Southern Express Company, freight on		

Year ending Sept. 30th, 1869.

1869. Sept.			
	packages from various points for Treasury Department,	\$	33 25
	H. Mahler for seals and press for several counties, and Calendar Clocks for Executive office and Supreme Court room,		155
	Southern Express Company, freight on 2 boxes for Department Superintendent Public Instruction,		6 50
	Friday Jones, amount due him on the several months having 31 days from July 1st, 1868, to August 1st, 1869, he having drawn, as watchman of Capitol, \$45 per month instead of \$1.50 per night,		10 50
	W. R. Richardson, Private Secretary, for sealing 600 bonds for the Northwestern North Carolina Railroad, at 10 cents,		60
	Raleigh Gas Light Company, for gas consumed in State House and gate lamps from August 1, 1869 to September 1,		35 20
	Southern Express Company, freight on 2 packages for Auditor's Department,		1 25
	W. R. Richardson, Private Secretary, for sealing 180 bonds for the Northwestern North Carolina Railroad, at 10 cents,		18
	Southern Express Company, freight on package for Auditor's department,		50
	Sentinel office, advertising for Treasury department,		5
	Jno. Ransom, glazing 5 window glasses in Capitol,		2
	John Armstrong, binding 26 record books for State department at \$5.		130
	Southern Express Company, freight on package for Auditor's Department,		50
	W. R. Richardson, Private Secretary,		

Auditor's Statement for 1869.

1869. Sept.	sealing 540 bonds Western North Carolina Railroad, at 10 cents,	\$	54
	W. R. Richardson, Private Secretary, sealing 2,000 bonds of Atlantic, Tennessee & Ohio Railroad in North Carolina, at 10 cents,		200
	Handy Lockhart, work done in sundry offices in Capitol,		27 07
	Southern Express Company, for freight on packages and box for sundry departments,		24 30
	Asheville Pioneer, publishing public laws,		100
	Southern Express Company, for freight on sundry packages from Sheriffs of the various counties of the State for Treasury Department,		20
	Southern Express Company, freight on box from New York for Treasury Department,		3 25
	C. T. Wood, under an act concerning the powers and duties of State officers,		11
	Alex. Turner, waiter in Capitol, services for September, 1869,		22 50
	H. P. Buncombe, waiter in Capitol, services for September, 1869,		22 50
	Friday Jones, Watchman of Capitol, services for September, 1869,		45
	G. W. Hays, work done in Executive Department,		9 62
	Southern Express Company, for freight on package for Auditor's department,		25
	D. R. Newsom, freight on 5 boxes arms, ammunition and equipments,		10 80
	Southern Express Company, for freight on box from New York for Treasury Department,		1 75
	D. J. Pruyn, balance due on wood delivered in April, 1869, for use of Capitol,		25 50

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

TREASURER'S REPORT.

STATE OF NORTH CAROLINA,
TREASURY DEPARTMENT,
Raleigh, Nov. 16th, 1869.

HIS EXCELLENCY, W. W. HOLDEN,
Governor of North Carolina :

SIR :—I beg leave to report the operations of my department for the year ending the 30th September, 1869.

Tables are annexed showing the receipts and expenditures of the State and Board of Education.

Also tables showing the debt of the State, amounting, October 1st, 1869, to \$29,815,045 outstanding, besides \$3,140,000 to which Companies are entitled but remaining in the Treasury uncalled for, and \$1,140,000, retained to secure payment of interest ; also the acts under which the bonds were issued, the date of the bonds, and time of maturity ; also other facts of interest connected therewith ; also tables showing the bonds, stocks, &c., owned by the State.

PAYMENT OF INTEREST.

I regret that it was out of my power to make payment of interest as required by act of 20th August, 1868. Strenuous

efforts were made, both by myself in repeated visits to New York, and by the financial agents of the State, Messrs. Soutter & Co., to effect this object, but capitalists were not willing to lend on any security I was empowered to offer. Twelve months ago I recommended to the General Assembly as the only means of providing funds necessary, to impose immediately an adequate tax, one half payable in the Spring, the other in the Fall of 1869. I submitted a Revenue bill calculated to raise a sum so large that money might have been borrowed in anticipation of its receipts. I recommended a levy of four tenths of one per cent., the real estate to have the valuation of 1860, with an exemption of only \$100. I foresaw that, owing to causes not necessary to be enumerated, the temper of the public mind would not be favorable to estimating property at its true value. My anticipations have been realized. The General Assembly having provided for a new assessment in 1869, although the returns have not been fully made to the Auditor's office, I am informed that the valuation of land, as well as other property, has been grossly unequal and often under the truth. I am safe in asserting that real estate will not be returned exceeding \$90,000,000, instead of about \$120,000,000 as in 1860. From this source there has been a large falling off in the revenue. The General Assembly concluded that it was not for the interest of the people to enact the provisions suggested. They imposed a property tax, of thirty-five cents on the \$100 value of property, ordered a new valuation in 1869, and exempted \$200 worth of the articles which the Constitution authorized them to exempt, and made the taxes returnable on the 15th of December. The revenue act was not ratified until the 1st of April, 1869.

Funds were in the Treasury sufficient to pay the interest due October 1st, 1868. The January 1st, 1869, interest amounted to \$308,197, and it proved entirely impracticable to borrow money for the purpose of liquidating it on the faith of a revenue act, which had not been passed. The same difficulty existed with the April, 1869, interest, the difficulty of

borrowing being all the greater because of the non-payment of that maturing in January. And when it was seen that the Revenue Act, as passed, could not possibly bring into the Treasury funds sufficient to reimburse the amount needed to pay the interest, it became manifestly impracticable to borrow. I am sure it was not in the power of man to have succeeded in the face of such obstacles.

PAST DUE INTEREST.

There is now unpaid past due interest matured on the 1st days of January, April, July and October, 1869, \$1,032,902. The present Revenue Law will not probably bring into the Treasury exceeding \$600,000. All of this will be needed for the support of the State Government until the receipts of taxes of 1870 shall come in. Hence, there will be no funds for the payment of the interest to become due on the 1st days of January, April, July and October, 1870. Leaving out the special tax bonds, there will be thus due up to and including October 1st, 1870, \$2,065,804 of interest, which the State will have no means of paying in cash. I respectfully recommend that the Funding Law be extended, and that the Revenue Law be so adjusted as to raise sufficient to begin payment of interest regularly on the 1st day of January, 1871. With the rates of taxes increased so as to raise sufficient for this purpose, I have reason to know the public creditors will readily accept our proposition to fund. Without such a Revenue Act there will be no guaranty of a *bona fide* intent to resume and continue the prompt and regular payment of interest. I am persuaded that our creditors are willing to give us such indulgence as we may reasonably ask, provided we give tangible proofs that we are not merely deferring our obligations with careless indifference about the future, but that our action is based on sound policy—that giving new bonds for unpaid interest is intended as a well considered step toward the certain meeting of our engagements. We must have, not resolutions, or propositions,

but a vigorous *Revenue Act*. The Supreme Court having decided that for the purpose of paying the interest on the public debt the General Assembly is not restrained by any Constitutional limit of taxation, no supposed legal difficulty is in the way of raising all the funds which may be needed. The Constitution of the State, as thus interpreted by the Supreme Court in a late decision, affords the strongest guaranty to the bond holders that North Carolina will ultimately redeem fully all her obligations.

If the above suggestion as to the extension of the Funding Law be adopted, the new bonds to bear date the 1st of July, 1870, and the October 1st, 1870, coupon funded at its value on 1st July, 1870, the interest maturing on 1st of January, 1871, will be \$363,759, excluding the interest on special tax bonds. If there shall be any deficiency of moneys raised by special taxes and payments by the Rail Road Companies, the above amount will be increased by the amount of such deficiency.

SPECIAL TAX BONDS.

The taxes raised by the special levies having been in part paid into the Treasury, and those being by law especially devoted to the payment of interest on the particular class of bonds for which they were imposed and collected, I concluded to pay the interest accruing on the 1st days of April and October of this year. It will be impossible to tell how much these special levies will produce, until there shall be a final settlement on the 15th of December next.

RETURN DAY OF TAXES.

I respectfully recommend that the day for the return of taxes be changed from the 15th of December to some day in advance of the meeting of the General Assembly, say 1st of October, as heretofore, so as to allow judgments to be taken

at the Fall Term of Wake Superior Court against delinquents. It is impossible to give satisfactory information to the General Assembly of the state of the finances, unless the Sheriffs are required to make their settlements by the time above indicated.

PARTIAL PAYMENTS OF TAXES.

If the return day of taxes should be changed to October 1st, I respectfully recommend that the law requiring partial payments into the Treasury be repealed. It will be noticed that I have not caused entries of the payments during the present year to be made on the general Treasury accounts although the State has credit for them. The payments whenever made are entered in a book appropriated for the purpose, and the full amount of taxes will be credited to the State on the general Treasury accounts when the final settlements with the Sheriffs shall be made. It was impossible to enter these partial payments in the general Treasury accounts, because the Sheriffs did not in their returns state from what source the moneys were received, nor to what fund they were applicable. The larger part of these partial payments has been applied to the expenses of the State government since the 1st of October last.

DELINQUENTS.

It is very important that the Auditor should have power to move for judgment against delinquent Sheriffs at the Special Term of Wake Superior Court to be held on the last Monday in December next. Otherwise many will hold their moneys until next Spring Term.

I have the honor to be,

Most respectfully,

Your Ob't Serv't,

D. A. JENKINS,

State Treasurer.

TABLE A.

PUBLIC FUND RECEIPTS.

1868.				
Oct.	Accrued interest on State coup. bonds, fund'g act,	\$	304	17
	Pay Patients, Insane Asylum,		225	
	Public taxes,		70,359	
	State coupon bonds, fund- ing act,		2,000	
	Tax for expense of State Convention,		19,485	38
	Tax Indigent Patients of Insane Asylum,		11,673	69
	Tax Indigent Pupils In- stitution Deaf, Dumb and the Blind,		1,950	
	Tax on National Bank dividends,		221	18
	Tax on Insurance Com- panies,		760	89
	Tax on seals,		50	
				\$ 107,029 31
Nov.	Pay Patients Insane Asy- lum,		180	
	Public taxes,		5,604	20
	Constitutional Conven- tion tax,		1,505	76
	Sales North Carolina R. R. Bonds, (dividends,)		117,600	
	Tax Indigent Patients, Insane Asylum,		2,013	80
	Tax on Corporations,		75	
	Tax on Insurance Com- panies,		477	67
	Weights and Measures,		265	
	State coupon bonds,		100,756	65
				\$ 228,478 08
Dec.	Public taxes,		4,402	17
	Constitutional Conven- tion tax,		1,018	46

TABLE A.—(Continued.)

1868.					
Dec.	Tax Indigent Patients Insane Asylum,	592	98		
	Tax Indigent Pupils, In- stitution Deaf, Dumb and the Blind,	150			
	Tax on National Bank dividends,	240			
	Tax on Ins. Companies,	318	02		
1869.				\$	6,721 63
Jan.	Public taxes,	20,180	19		
	Constitutional Conven- tion tax,	2,002	53		
	Tax Indigent Patients, Insane Asylum,	1,312	32		
	Tax Indigent Pupils, In- stitution, Deaf, Dumb and the Blind,	150			
	Tax on Att'ny's Licenses,	213	75		
	Tax on seals,	110			
	Sales of State property,	10			
	Executive Mansion,	3,500			
				\$	27,478 79
Feb.	Public taxes,	11,012	12		
	Constitutional Conven'tn tax,	1,803	05		
	Tax Indigent Patients Insane Asylum,	362	49		
	Tax on At'ny's Licenses,	28	50		
	Tax on Corporat'ns,	75			
	Tax on Insurance Com- panies,	62	03		
				\$	13,543 19
March.	Navigation dividends,	300			
	Pay Patients Insane Asy- lum,	75			
	Public taxes,	12,170	76		
	Constitutional Conven'tn tax,	2,827	80		
	Tax Indigent Patients, Insane Asylum,	1,654	86		
	Tax Indigent Pupils In-				

TABLE A.—(Continued.)

1869.				
March.	stitution Deaf & Dumb and the Blind,	150		
	Tax on Corporations,	75		
	Tax on seals,	62		
			\$	18,315 42
April.	Pay Patients Insane Asy- lum,	200		
	Public taxes,	7,115 98		
	Constitutional Convention tax,	1,125 79		
	State Loans,	258,000		
	Tax Indigent Patients Insane Asylum,	161 61		
	Tax Indigent Pupils, In- stitution Deaf & Dumb and the Blind,	75		
	Tax on Corporations,	75		
	Tax on Insurance Com- panies,	1,157 40		
	Weights and Measures,	34		
			\$	267,944 78
May.	Public taxes,	10,531 84		
	State coupon bonds, (W. N. C. R. R. Co.,)	341,133 33		
	Tax on Insurance Com- panies,	277 05		
	Tax on seals,	5		
			\$	351,947 22
June.	Executive Mansion,	951 44		
	Public taxes,	7,123 85		
	State coupon bonds, R. R. Companies,	3,462,500		
	Tax on Bank dividends,	240		
	Tax on Insurance Com- panies,	408 86		
			\$	3,471,224 15
July.	Accrued interest on State coupon bonds,	13,333 33		
	Public taxes,	19,893 50		
	Tax Indigent Patients, Insane Asylum,	341		

STATEMENT A.—(Continued.)

1869.				
July.	Tax Indigent Pupils, Institution Deaf Dumb and the Blind,	\$	150	
	Tax on Insurance Companies,		97 98	
	Tax on Corporations,		69 50	
	Weights and Measures,		38 50	
	Western N. C. Rail Road Company, (Wes. Div.,)	4,000,000		
				\$ 4,033,923 81
Aug.	Public taxes,		113,626 30	
	Tax on Insurance Companies,		794 94	
				\$ 14,421 24
Sept.	Public taxes,			9,850
				8,550,877 62

PUBLIC FUND DISBURSEMENTS.

1869.				
Oct.	Adjutant General,	\$	725 91	
	Appropriation for Artificial Limbs,		50	
	Auditor's Department,		505 54	
	Capitol Square,		92	
	Executive Department,		202 67	
	Fugitives from justice,		200	
	General Assembly,		253	
	Insane Asylum,		6,639 73	
	Institution Deaf, Dumb & the Blind,		2,000	
	Interest on State Coupon Bonds,		74,679	
	Judiciary,		4,200 72	
	Public Printing,		2,738 60	
	Revised Code,		400	
	Sheriffs for settling taxes,		1,425 20	
	State Library,		225 50	

TABLE A —(Continued.)

1869.					
Oct.	Superintendent	Public			
	Buildings,		\$	104	17
	Superintendent	Public			
	Instruction,			566	66
	Superintendent	Public			
	Work,			200	
	Treasury Department,			447	83
	Weights and Measures,			1,397	36
	Contingencies,			19,818	49
					\$ 116,872 38
Nov.	Adjutant General,			129	
	Capitol Square,			78	
	Constitutional Conven-				
	tion,			18	90
	Fugitives from justice,			188	37
	General Assembly,			1,064	60
	Insane Asylum,			5,000	
	Institution Deaf, Dumb				
	and the Blind,			3,000	
	Interest on State Coupon				
	Bonds,			17,466	
	Judiciary,			3,265	
	Penitentiary,			5,000	
	Presidential Election,			163	40
	Public Printing,			2,692	71
	Public tax refunded,			36	88
	Resolutions of General				
	Assembly,			982	40
	Revised Code,			800	
	Sheriffs for settling taxes,			103	
	State Department,			200	
	State Loans,			101,500	
	Contingencies,			7,162	24
	State Coupon Bonds,				
	(Penitentiary,)			100,000	
					\$ 248,850 50
Dec.	Adjutant General,			297	50
	Appropriation for Artifi-				
	cial Limbs,			50	
	Auditor's Department,			650	

TABLE A.—(Continued.)

1868. Dec.	Binding Laws,	\$	495		
	Capitol Square,		716	95	
	Copying Laws,		228		
	Presidential Election,		224	30	
	Executive Department,		425		
	General Assembly,		58,069	80	
	Institution Deaf, Dumb and Blind,		5,000		
	Interest on State Coupon Bonds,		12,948		
	Judiciary,		5,665		
	Penitentiary,		185		
	Electors for President and Vice President of the United States,		528	40	
	Public Printing,		100		
	Resolutions of General Assembly,		85		
	Revised Code,		800		
	Sheriffs for settling taxes,		116	80	
	State Department,		200		
	State Library,		175		
	Superintendent Public Buildings,		237	50	
	Superintendent Public Instruction,		400		
	Superintendent Public Works,		400		
	Treasury Department,		812	50	
	Turnpike Company, Mc- Dowell & Yancey,		3,000		
	Contingencies,		12,594	49	
				\$	104,404 24
1869 Jan.	Appropriation for Artifi- cial Limbs,		320		
	Binding Laws,		316	95	
	Capitol Square,		99		
	Department of Public Instruction,		250		
	Executive Department,		250		

TABLE A.—(Continued.)

1869.				
Jan.	General Assembly,	\$	12,936	
	Geological Survey,		1,000	
	Insane Asylum,		12,131	30
	Institution of Deaf, Dumb and Blind,		2,000	
	Interest on State Coupon Bonds,		975	
	Judiciary,		11,267	30
	Presidential election,		59	
	Public printing,		2,104	12
	Revised Code,		400	
	Sheriffs for settling taxes,		204	25
	State Department,		450	
	Contingencies,		1,768	10
				\$ 46,531 02
Feb.	Appropriation for Artifi- cial Limbs,		250	
	Capitol Square,		357	
	Fugitives from justice,		100	
	General Assembly,		7,675	
	Institution Deaf, Dumb and the Blind,		1,000	
	Judiciary,		665	55
	Presidential election,		27	
	Interest on State Coupon Bonds,		60	
	Public Printing,		3	
	Public tax refunded,		325	95
	Revised Code,		200	
	Sheriffs for settling taxes,		162	
	State Library,		102	27
	Contingencies,		805	25
				\$ 11,733 02
March.	Auditor's Department,		200	
	Capitol Square,		115	15
	Executive Department,		211	65
	Fugitives from justice,		800	
	General Assembly,		2,397	50
	Insane Asylum (patients account),		16	50

TABLE A.—(*Continued.*)

1868.				
March.	Institution Deaf Dumb and Blind,	\$	1,500	
	Presidential election,		54	
	Public Printing,		3	
	Public tax refunded,		8 52	
	Sheriff for settling taxes,		167 60	
	Treasury Department,		625	
	Interest on State coupon bonds,		4,575	
	Contingencies,		2,099 25	
				\$ 12,773 17
April.	Adjutant General,		400	
	Agricultural Societies,		50	
	Auditor's Department,		650	
	Binding Laws,		2,750	
	Capitol Square,		192	
	Resolutions of General Assembly,		714 23	
	Executive Department,		4,175	
	Fugitives from justice,		1,503 66	
	General Assembly,		108,216 70	
	Geological survey,		1,000	
	Insane Asylum, (support account),		20,000	
	Insane Asylum, (indigent patients' account),		202 50	
	Institution Deaf & Dumb and the Blind,		8,000	
	Judiciary,		8,128	
	Interest on State coupon bonds,		30	
	Penitentiary,		864 35	
	Presidential election,		60	
	Public Printing,		8,965 77	
	Public tax refunded,		78	
	Resolutions of General Assembly,		520 50	
	Revised Code,		1,800	
	Sheriffs for settling taxes,		95	
	State Department,		877 50	
	State Library,		252 10	

TABLE A.—(Continued.)

1868.				
April.	Superintendent Public Works,	\$	800	
	Superintendent Public Instruction,		850	
	Treasury Department,		2,388	18
	Superintend't of Capitol,		237	50
	Contingencies,		11,020	09
				\$ 184,821 08
May.	Adjutant General,		100	
	Appropriation for artificial limbs,		100	
	Auditor's Department,		200	
	Binding Laws,		1,650	
	Capitol Square,		199	
	Copying Laws,		932	
	Convention,		70	56
	Executive Department,		130	
	Fugitives from justice,		658	51
	General Assembly,		140	
	Institution Deaf, Dumb and the Blind,		5,500	
	Insane Asylum, (patient's expense account),		33	25
	Judiciary,		2,195	
	Penitentiary,		10,146	20
	Public Printing,		1,940	66
	Department Public Instruction,		200	
	Quarantine regulations,		1,433	43
	Revised Code,		400	
	State Department,		275	
	State Library,		9	06
	Treasury Department,		80	95
	Western N. C. Rail Road Company, (Eastern Division),		340,000	
	Interest on State coupon bonds,		30	
	Contingencies,		3,902	02
				\$ 370,325 64

TABLE A.—(Continued.)

1869.				
June.	Adjutant General,	\$	113	15
	Appropriation for artificial limbs,		100	
	Auditor's Department,		980	
	Binding Laws,		1,160	
	Capitol Square,		433	
	Copying Laws,		51	
	Executive Department,		1,683	33
	Fugitives from justice,		863	93
	General Assembly,		142	50
	Geological survey,		1,000	
	Insane Asylum, (support account),		6,000	
	Insane Asylum, (patient's expense account),		35	50
	Institution Deaf, Dumb and the Blind,		2,000	
	Interest on State coupon bonds,		270	
	Judiciary,		14,402	98
	Militia,		672	57
	Public Printing,		2,884	63
	Resolutions of General Assembly,		853	71
	Revised Code,		400	
	State Department,		875	75
	State Library,		191	56
	Superintendent Public Works,		400	
	Superintendent Public Instruction,		650	
	Superintendent of Capitol,		237	50
	Treasury Department,		1,478	50
	Western N. C. Rail Road Comp'ny, (Western Division,		2,187,000	
	Western N. C. Rail Road Company, (Eastern Division,)		273,000	
	Wilmington, Charlotte & Rutherford Rail Road			

TABLE A.—(Continued.)

1869.				
June.	Company,	\$1,000,000		
	Contingencies,	6,158 98		
			\$3,504,038 59	
July.	Adjutant General,	100		
	Capital Square,	174 75		
	Copying Laws,	397 60		
	Fugitives from Justice,	686 57		
	General Assembly,	100		
	Geological Survey,	2,004 69		
	Interest on Public Debt,	272 81		
	Insane Asylum, (support account,)	7,000		
	Insane Asylum, (patient's account,)	49		
	Institution Deaf, Dumb, and the Blind,	2,000		
	Judiciary,	2,981		
	Marion and Asheville Turnpike Road,	40		
	Militia,	979 99		
	Presidential Election,	28		
	Public Printing,	2,845 82		
	Revised Code,	800		
	Sheriffs for settling Taxes,	37 50		
	State Library,	169 45		
	State Department,	150		
	State Loans,	16,873 43		
	Superintendent Public Works,	200		
	Western N. C. Rail Road Comp'ny, (Western Di- vision,)	4,000,000		
	Contingencies,	5,478 09		
			\$4,043,368 70	
Aug.	Adjutant General,	100		
	Appropriation for Artifi- cial Limbs,	100		
	Auditor's Department,	200		
	Binding Laws,	225		
	Capitol Square,	489 13		

TABLE A.—(Continued.)

1869.					
Aug.	Carteret and Craven Turnpike Road,	\$	720		
	Department Public In- struction,		200		
	Fugitives from Justice,		843	25	
	General Assembly,		107		
	Insane Asylum, (support account,)		4,000		
	Insane Asylum, (patient's expense account,)		144	60	
	Institution Deaf, Dumb, and Blind,		3,000		
	Interest on State Coupon Bonds,		60		
	Judiciary,		165		
	Militia,		212	35	
	Penitentiary,		5,005		
	Public Printing,		2,482	92	
	Quarantine Regulations, Resolutions of General Assembly,		175		
	Revised Code,		259	93	
	Senatorial Election,		400		
	State Department,		11	16	
	Contingencies,		475		
			4,453	79	
					\$ 23,829 17
Sept.	Auditor's Department,		725		
	Appropriation for Artifi- cial Limbs,		5		
	Capitol Square,		141	75	
	Executive Department,		675		
	Fugitives from Justice,		985	75	
	Insane Asylum, (support account,)		5,000		
	Insane Asylum, (patient's expense account,)		15		
	Institution Deaf, Dumb, and the Blind,		2,000		
	Judiciary,		1,195		
	Marion and Asheville Turnpike Road,		1,831	78	

TABLE A.—*Continued.*

1869, Sept.	Public Arms,	\$ 60		
	Public Printing,	1,323	83	
	Revised Code,	200		
	Quarantine Regulations,	2,560		
	State Department,	400		
	Department Public In struction,	450		
	Interest on State Coupon Bonds,	30		
	Superintendent of Public Works,	550		
	Superintend't of Capitol	237	50	
	Treasury Department,	250		
	Contingencies,	1,245	85	
				\$ 19,881 46
				\$8,687,428 97

TABLE B.

EDUCATIONAL FUND RECEIPTS.

		Principal.		Income.	
		\$	\$	\$	\$
1868.	Entries Vacant Lands,	17 37			
Oct.	Auction Tax,	29 39	\$ 46 76	\$ 2,726 75	
	Tax on Retailers,			2	
	Expense account, amount refunded,				\$ 2,728 75
Nov.	Entries Vacant Lands,		6 50		550
	Retailer's Tax,				
Dec.	Entries Vacant Lands,	93 36			
	Auction Tax,	80	94 16		
1869.	Entries Vacant Lands,				
Jan.	Sales of Swamp Lands,		150 69		2,000
Feb.	Entries Vacant Lands,		159 34		200
	Retailer's Tax,				
March.	Entries Vacant Lands,	31 43			
	Auction Tax,	100 79	132		150
	Retailer's Tax,				
April.	Entries Vacant Lands,		200 22		
	Wilmington & Weldon R. R. Company,			148,000	
	Wilmington & Manchester R. R. Company,			10,000	

TABLE B.—(Continued.)

	Principal.	Income.	
		\$	100
May.	Retailer's Tax, Entries Vacant Lands, Cape Fear Navigation Company,	\$ 78 15	158,100
June.	Entries Vacant Lands,	23 89	3,250
July.	Entries Vacant Lands, Fines, Forfeitures and Penalties,	48 78	
	Retailer's Tax,		207 69
Aug.	Entries Vacant Lands, Fines, Forfeitures and Penalties,	82 17	300
Sept.	Entries Vacant Lands, Polls, Fines, Forfeitures and Penalties,	99 12½	374 78
			283
		1,121 78½	657 78
			168,748 64

TABLE B.—(Continued.)

EDUCATIONAL FUND DISBURSEMENTS.

	Principal.	Income.	
			\$
1868.			24
Oct.	Expense Account,		37
Nov.	Expense Account,		153
Dec.	Expense Account,		
1869			1,119
Jan.	Expense Account,		1,122
March.	Expense Account,		16
April.	Loans,	\$ 3,000 00	
	Expense Account,	232 70	
	State Loans,	158,000 00	161,232 70
June.	Loans,	3,000 00	32
	Expense Account,	247 32	3,247
Aug.	Expense Account,		123
Sept.	Expense Account,		100
			<u>167,158 18</u>

GENERAL STATEMENT.

Balance in hands of Public Treasurer, Oct. 1st, 1868,			\$ 150,035	84 $\frac{2}{3}$
Receipts of Educational Fund for Fiscal Year ending September 30th, 1869,	\$ 169,870	42 $\frac{1}{2}$		
Receipts of Public Fund for Fiscal Year ending September 30th, 1869,	8,550,877	62	8,720,748	04 $\frac{1}{2}$
			8,870,783	89
Disbursements of Educational Fund for Fiscal Year ending September 30th, 1869,	167,158	18		
Disbursements of Public Fund for Fiscal Year ending September 30th, 1869,	8,687,428	97	8,854,587	15
Leaving in hands of Public Treasurer Oct. 1st, 1869,			\$ 16,196	74

TABLE C,

Showing different Classes of Bonds, issued by State of North Carolina, authority under which issued, date of Bonds, when due, &c., at date of October 1, 1869.

FOR WHAT PURPOSE.	AUTHORITY.	DATE OF BONDS.	WHEN DUE.	AMOUNT.	TOTAL.	WHAT CLASS.	REMARKS.
Fayetteville & Western Plank Road, do. do.	Acts of 1848-'49, chap. 89, sec. 20, do. do.	1849, 1850, 1851, 1852,	1869, 1870, 1871, 1872,	\$ 11,500 14,500 15,000 9,500	50,500	Registered (Prin. & Int. payable at Treasury.)	Six per cent.
Gaston & Weldon Rail Road and Neuse and Tar Rivers, do. do.	Act of 1848-'49, chap. 82, secs. 49 and 51, do. do.	July 1, 1854, January 1, 1855, July 1, 1855,	July 1, 1864, January 1, 1865, July 1, 1865,	2,000 12,000 11,000	25,000	Coupons (Prin. & Int. payable in New York.)	Six per cent.
North Carolina Rail Road, do. do. do. do. do.	Act of 1848-'49, chap. 82, sec. 38, do. do. do. do. do.	January 1, 1853, July 1, 1853, January 1, 1854, July 1, 1854, January 1, 1855, April 1, 1855,	January 1, 1863, July 1, 1863, January 1, 1864, July 1, 1864, January 1, 1865, April 1, 1865,	496,000 481,000 455,000 118,000 305,000 939,000	2,794,000	Coupons (Prin. & Int. payable in New York.)	Six per cent.
Fayetteville and Centre Plank Road, do. do. do. do. do.	Act of 1854, chap. 183, sec. 4, do. do. do. do. do.	April 1, 1855, July 1, 1855, April 1, 1857, January 1, 1858, October 1, 1858, July 1, 1855,	April 1, 1875, July 1, 1876, April 1, 1877, January 1, 1878, October 1, 1878, July 1, 1878,	19,000 9,000 2,000 4,000 6,000 5,000	45,000	Coupons (Prin. & Int. payable in New York.)	Six per cent.
Fayetteville & Warsaw Plank Road, do.	Act of 1854, chap. 201, secs. 1 and 2, do.	July 1, 1855, January 1, 1857,	July 1, 1875, January 1, 1877,	4,000 6,000	10,000	Coupons (Prin. & Int. payable in New York.)	Six per cent.

TABLE C.—(CONTINUED.)

Showing different Classes of Bonds issued by the State, &c.

FOR WHAT PURPOSE.	AUTHORITY.	DATE OF BONDS.	WHEN DUE.	AMOUNT.	TOTAL.	WHAT CLASS.	REMARKS.
Tar River,	Act of 1854-'55, chap. 32, sec. 6,	January 1, 1856,	January 1, 1856,	\$ 15,000	\$ 15,000	Coupons (Prin. & Int. payable in New York.)	Six per cent.
Insane Asylum,	Act of 1854, chap. 3,	January 1, 1856,	January 1, 1866,	24,000	71,000	Coupons (Prin. & Int. payable in New York.)	Six per cent.
do.	do.	April 1, 1857,	April 1, 1867,	7,000			
do.	do.	January 1, 1858,	January 1, 1868,	1,000			
do.	Act of 1856, chap. 5,	January 1, 1858,	January 1, 1868,	20,000			
	Act of 1858, ch. 2, sec. 10,	July 1, 1859,	July 1, 1869,	10,000			
Atlantic and North Carolina Rail Road,	Act of 1854, chapter 232, sec. 5,	January 1, 1856,	January 1, 1856,	513,000	1,351,500	Coupons (Prin. & Int. payable in New York.)	Six per cent.
do.	do.	January 1, 1857,	January 1, 1857,	239,000			
do.	Act of 1856, chap. 74,	July 1, 1857,	July 1, 1857,	223,500			
do.	Act of 1856, chap. 76,	October 1, 1857,	October 1, 1857,	385,000			
Albemarle & Chesapeake Canal,	Act of 1856-'57, chap. 46, sec. 2,	April 1, 1857,	April 1, 1857,	227,000	324,000	Coupons (Prin. & Int. payable in New York.)	Six per cent.
do.	do.	April 1, 1859,	April 1, 1859,	37,000			
Western Rail Road,	Act of 1855-'59, chap. 103, sec. 1,	April 1, 1859,	April 1, 1859,	191,000	1,708,000	Coupons (Prin. & Int. payable in New York.)	Six per cent.
do.	do.	January 1, 1860,	January 1, 1860,	95,000			
do.	do.	October 1, 1860,	October 1, 1860,	100,000			
do.	Act of 1863-'69, chap. 28,	April 1, 1869,	April 1, 1869,	1,320,000			
Western North Carolina Rail Road,	Act of 1854, chap. 228, sec. 35,	October 1, 1856,	October 1, 1856,	189,000	1,708,000	Coupons (Prin. & Int. payable in New York.)	Six per cent.
do.	do.	July 1, 1857,	July 1, 1857,	90,500			
do.	do.	January 1, 1858,	January 1, 1858,	99,000			
do.	do.	April 1, 1858,	April 1, 1858,	50,000			
do.	do.	July 1, 1858,	July 1, 1858,	96,500			
do.	do.	October 1, 1858,	October 1, 1858,	29,000			
do.	do.	January 1, 1859,	January 1, 1859,	77,000			
do.	do.	April 1, 1859,	April 1, 1859,	56,000			

[illegible]

TABLE C.—(CONTINUED.)

Showing different Classes of Bonds issued by the State, &c.

FOR WHAT PURPOSE.	AUTHORITY.	DATE OF BONDS.	WHEN DUE.	AMOUNT.	TOTAL.	WHAT CLASS.	REMARKS.
Chatham Rail Road,	Ordinance of Convention 1868, chap. 19,	April 1, 1868,	April 1, 1898,	\$ 1,200,000	\$ 1,200,000	Coupons (Prin. & Int. payable in New York.)	Six per cent.
To provide for Funding the matured interest on the Public Debt,	Act of Aug. 20, 1868,	October 1, 1868,	October 1, 1898,	1,721,400	1,721,400	Coupons (Prin. & Int. payable in New York.)	Six per cent.
Williamston & Tarboro' Rail Road,	Act of 1868-'69, ch. 7,	October 1, 1868,	October 1, 1898,	300,000	300,000	Coupons (Prin. & Int. payable in New York.)	Six per cent.
North-Western North Carolina Rail Road,	Act of 1868-'69, ch. 32,	April 1, 1869,	April 1, 1899,	1,080,000	1,080,000	Coupons (Prin. & Int. payable in New York.)	Six per cent.
Atlantic, Tennessee & Ohio Rail Road,	Act of 1868-'69, ch. 31,	April 1, 1869,	April 1, 1899,	1,750,000	1,750,000	Coupons (Prin. & Int. payable in New York.)	Six per cent.
Penitentiary,	Act of Aug. 24th, 1868,	October 1, 1868,	October 1, 1898,	100,000	100,000	Coupons (Prin. & Int. payable in New York.)	Six per cent.
					\$ 29,815,045		

Note.—The bonds issued for building the Chatham Rail Road, \$2,000,000, have been pronounced unconstitutional by the decision of the Supreme Court, in the case of Galloway vs. the Chatham Rail Road, and are therefore omitted in this statement. It is likewise thought that this decision of the Court affects the validity of the "Penitentiary Bonds," but in the absence of a direct decision on this question, and of legislation, I do not feel authorized to omit them in this statement.

TABLE C.—(CONTINUED.)

*Bonds issued for Internal Improvement purposes since May 20th 1861, and prior to the year 1866,
under Acts passed prior to May 20th, 1861.*

FOR WHAT PURPOSE.	AUTHORITY.	DATE OF BOND.	WHEN DUE.	AMOUNT.	TOTAL.	WHAT CLASS.	REMARKS.
Western (Coalfield) Rail Road,	Act of 1860-'61, chap. 137, sec. 2,	Oct. 1, 1861,	Oct. 1, 1891,	\$ 200,000	\$ 200,000	Coupons (payable at Treas'y)	Six per cent.
Western North Carolina Rail Road, Wilmington, Char. & Rutherford R R,	Act of 1860-'61, chap. 228, sec. 35, Act of 1860-'61, chap. 42,	Oct. 1, 1861,	Oct. 1, 1891,	220,000	220,000	Coupons (payable at Treas'y)	Six per cent.
Chatham Rail Road,	Ordinance of Convention, Par. 7,	July 1, 1862,	July 1, 1892,	493,000	493,000	Coupons (payable at Treas'y)	Six per cent.
Do.	Do.	Jan'y 1, 1863	Jan'y 1, 1883,	15,000	215,000	Coupons (payable at Treas'y)	Six per cent. Exchanged with City of Raleigh \$15,000, and with R & G R Co. \$200,000.
		Jan'y 1, 1863	Jan'y 1, 1883,	200,000	248,190		
Interest estimated due and unpaid,				\$ 1,376,190			

TABLE D,
Of Stocks and Bonds held by the State in Corporations.

STOCKS.

	\$	
North Carolina Rail Road Company,	3,000,000	Of this amount \$1,000,000 is preferred stock, \$800,000
Atlantic and North Carolina Rail Road Company,	1,266,500	of unpreferred stock, mortgaged under act of De-
Western North Carolina Rail Road Company, Wes-		cember 18, 1866.
tern Division,	6,367,000	Whole amount authorized is \$6,666,600.
Western North Carolina Rail Road Company, Eastern		
Division,	4,254,000	Of this amount \$220,000 were subscribed for October
Wilmington, Charlotte and Rutherford Rail Road		1, 1861. Whole amount authorized \$4,333,400,
Company,	4,000,000	The bonds to pay for \$2,500,000 of this stock not yet
		delivered, being uncalled for.
Western Rail Road Company,	2,420,000	Whole amount authorized is \$2,600,000.
Albemarle and Chesapeake Canal Company,	250,000	Dividends of this stock are appropriated to the Board
Roanoke Navigation Company,	50,000	of education.
Total,	\$ 21,707,500	

BONDS.

ON WHAT COMPANY.	DATE OF ISSUE.	WHEN DUE.	AMOUNT.	TOTAL.	REMARKS.
City of Raleigh,	January 1, 1868,	January 1, 1883,		\$ 14,000	
Raleigh & Gaston Rail Road Company,	January 1, 1863,	January 1, 1883,		20,000	
Wil. Charlotte & Rutherford R. R. Co.,	January 1, 1860,	January 1, 1890,	\$ 200,000		
do.	July 1, 1860,	July 1, 1890,	200,000		
do.	October 1, 1860,	October 1, 1890,	330,000		
do.	April 1, 1861,	April 1, 1891,	250,000		
do.	July 1, 1862,	July 1, 1892,	520,000		
Int. due on above bonds of W. C. & R. R. R. Company,				1,500,000	
Chatham Rail Road Company,	April 1, 1868,	April 1, 1898,		572,100	
Interest due same,				1,200,000	
Williamston & Tarboro' R. R. Company,	October 1, 1868,	October 1, 1898,		108,000	
Interest due on same,				300,000	
Atlantic, Tennessee & Ohio R. R. Company,	April 1, 1869,	April 1, 1899,		18,000	
Interest on the same,				2,000,000	
Coupons for int. due by the W. R. R. Co.,				60,000	
				225,000	
Total bonds and interest,				\$ 6,017,100	
Total stocks,				21,707,500	
Total bonds, interest and stocks,				\$ 27,724,600	

By act ratified December 20,
1866, these bonds were
made second mortgage
bonds.

TABLE E,

Showing Assets of Board of Education.

Certificates of stock in the following Corporations:			
Bank of North Carolina,	\$ 502,700		
Bank of Cape Fear,	544,400		
		\$ 1,047,100	
State Coupon Bonds:			
Issued under Funding Act of March 10, 1866, six per cent.,	1,500		
Issued under Funding Act of August 20th, 1868, six per cent.,	21,800		
Coupons past due on above Bonds, including Oct., 1869, coupons,	1,398		
Special Tax Bonds,	450,000		
		\$ 474,698	
Certificates of indebtedness given by the State to the former Literary Board, as follows:			
Certificate dated June 1, 1867,	320,070 50		
Certificate dated October 1, 1867,	30,273 50		
Certificate dated January 16, 1868,	32,701		
Interest due on above Certificate to July 1, 1869,	34,474 05		
Total Certificates and Interest,		\$ 417,519 05	
College Bonds and Individual Notes:			
Mount Pleasant Academy Bonds,	2,000		
Interest on same to October 1st, 1869,	768		
Two Notes of William G. Perry and others,	714 12		
Interest on same to October 1st, 1869,	598 07		
Copies of three Notes of J. W. Keeling and others, (original sent for collection,)	2,265		
Interest on same to October 1st, 1869,	2,767 88		
Note of D. Edminston & Co.,	1,610 74		

TABLE E,—(Continued.)

Interest on same to October 1st, 1869,	\$ 20	13		
Note of W. F. Lewis, (specie,)	8,000			
Interest on same to October 1st, 1869,	1,320		\$ 20,063	14
Total Assets,			\$1,959,380	19

TABLE F.

Ante-War Debt Due.—(Principal.)

WHEN DUE.	WHERE PAYABLE.	AMOUNT.
July 1st, 1864,	New York,	\$ 2,000
January 1st, 1865,	“	33,500
July 1st, 1865,	“	11,000
January 1st, 1866,	“	24,000
April 1st, 1867,	“	7,000
January 1st, 1868,	“	30,000
April 1st. 1869,	“	16,100
July 1st, 1869,	“	9,800
October 1st, 1869,	“	13,100
Registered Certificates, (1869,)	Raleigh,	11,500
	Total,	\$ 158,000

NOTE.—Of the \$33,500 due January 1st, 1865, \$21,500 are Coupon Bonds of Cape Fear and Deep River Navigation Company, assumed by the State.

TABLE G,

Showing years of maturity of Bonds not due, issued prior to May 20th, 1861, and from and including the year 1866.

WHEN DUE.	WHERE PAYABLE.	AMOUNTS.
1870,	Raleigh,	\$ 14,500
1870,	New York,	57,500
1871,	Raleigh,	15,000
1872,	do.	9,500
1875,	New York,	26,500
1876,	do.	9,000
1877,	do.	8,000
1878,	do.	15,000
1883,	do.	977,000
1884,	do.	573,000
1885,	do.	1,271,500
1886,	do.	717,000
1887,	do.	1,156,000
1888,	do.	274,500
1889,	do.	1,195,300
1890,	do.	1,655,900
1891,	do.	245,000
1892,	do.	453,000
1896,	do.	99,000
1897,	do.	800,000
1898,	do.	8,984,400
1899,	do.	8,300,000
1900,	do.	2,417,400
Lit. Fund Cer., (indefinitely.)	Raleigh,	383,045
	Total,	\$ 29,657,045

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

REPORT OF THE SUPERINTENDENT OF PUBLIC
WORKS.

STATE OF NORTH CAROLINA,
DEPARTMENT OF PUBLIC WORKS,
Raleigh, Dec. 9th, 1869.

*To the Honorable, the Senate and House of Representatives,
Of the State of North Carolina:*

GENTLEMEN:—In compliance with section 98, of the act of April 12th, 1869, I have the honor to transmit herewith my annual report as Superintendent of Public Works, for the year 1869.

Very respectfully,

C. L. HARRIS,
Supt. of Public Works.

*To the Honorable, the Senate and House of Representatives,
of North Carolina:*

In conformity with section 98 of the act of April 12th, 1869, I have the honor to submit for your consideration, this, my report.

The following are the buildings over which the Superintendent has exercised undisputed control during the past year: Governor's Mansion, Raleigh, N. C., Fayetteville Arsenal, Fayetteville, N. C.

The condition of the Governor's Mansion is such as to require some slight repairs, to the extent of about \$100; and has been occupied by the Superintendent of Public Works, His Excellency, the Governor, having elected not to occupy the premises.

There has been no repairs made upon this building, except such as have been paid out of the private funds of the Superintendent in occupation.

The construction of this house is an architectural failure—the plastering having been placed directly upon the brick walls. This renders the walls so sensible to atmospheric changes as to make the building totally unfit for occupation as a tenement.

The paper used upon the walls is of excellent quality, but cannot be kept upon them during rainy seasons, nor over one year. To remedy this defect, it would be necessary to insert bond-timbers throughout all the walls and fur thereon for lathe and plaster. This is utterly impracticable without rebuilding the house from its foundation.

It is recommended that the Mansion and premises annexed, be sold and the proceeds of sale paid into the Treasury or the house taken down and erected in such a manner as to avoid the necessary expenditure of its purchase price annually in the further attempt to make it tenable.

The Fayetteville Arsenal is in a dilapidated condition and unoccupied. It is proposed to lease the premises for the year 1870, to responsible parties, at a fair rental value, conditioned that necessary repairs be made thereon, at the cost of the tenant.

The following public buildings: The Penitentiary, of Raleigh, N. C., and the University of North Carolina, at Chapel Hill, N. C., are under the control of Boards of Direc-

tors and Supervisors under the laws of North Carolina, and these officers claim that they cannot be required to make report to, or be controlled by, the Superintendent of Public Works; and they have not made a report to me under the act of April 12th, 1869, and the time required by law for such report has passed.

The report of Dr. Eugene Grissom, Superintendent of the Insane Asylum of North Carolina, is herewith submitted, and attention invited to the recommendations and suggestions therein contained. The improvements and repairs asked for and expenditure necessary therefor, are approved and recommended for the favorable consideration of your honorable body.

The report of Willie J. Palmer, the Principal of the Deaf, Dumb and Blind Institution of Raleigh, N. C., is also transmitted herewith, and attention invited to recommendations and suggestions contained therein. The improvement and repairs necessary are approved, and also recommended for the favorable consideration of your honorable body.

The Capitol buildings and grounds were under the care and control of the appointees of His Excellency, the Governor, and his Council, when the Superintendent came into office, and to the date of this report they have not been removed or suspended, the said Council claiming this authority under former enactments of the Legislature, vesting the control of the Capitol in such Council.

The Superintendent proposes to assume the charge of this and all the Public property hereafter, as required in the act defining his duties.

The floor of the southern passage, in the Capitol rotunda, was used during the war for a depository for salt and lime, which has destroyed the surface of the stone, and rendered it so unequal as to require repairs, by raising the stone and re-cutting the surface. It is estimated that the cost of these repairs will be one dollar per square foot, and of which there are

about one thousand square feet of surface, needing more or less repair.

Recommended that the Superintendent be authorized to make such repairs, and that the sum of two thousand (\$2,000) dollars be appropriated for this purpose, and that the balance remaining, if any, be used for any repairs found necessary upon the Capitol.

It is also recommended that the Superintendent be authorized to expend \$200, or so much thereof as is needed, in the purchase and transplanting of deciduous, and evergreen ornamental trees, of the choicest varieties, in and about the grounds of the Capitol, those already set proving inferior and unthrifty.

It is conceded that the system of water closets upon the Capitol grounds is a public nuisance that ought to be abated; the vaults being upon the same level with the wells and the water therein being impregnated with it, rendering it unfit for use. There is no sewerage for conveyance to remote and appropriate localities.

The system of heating the Capitol building is incomplete, and behind the improvements of the age. It is deficient in effect and economy of fuel. Modern appliances for heating a building of the dimensions of the Capitol with one fire by heated air or steam are complete and elaborate. The Capitol has thirty fire places, all, or nearly all of which are in use during the cold weather, some burning coal, and some burning wood. The wood used per day at this date is about 4 cords, at \$4 per cord, cost \$16. Coal is used in six fires, and cost about \$15 per ton, or \$7 50 per day.

It is estimated that one-fourth the fuel used in the Capitol would do with hot air what all the fuel used in the building does not do, viz: heat all the rooms to a uniform temperature and make them comfortable.

It is recommended that the Superintendent be authorized to inquire into the cost of a change of the closets from their present location to the interior of the Capitol building, and of proper sewerage therefor, and for heating the Capitol

with hot air or steam, with all necessary appliances, and report the result of the inquiry to your honorable body.

ATLANTIC AND NORTH CAROLINA RAIL ROAD.

The meeting of the stockholders for the election and appointment of a Board of Directors for the year 1869, took place at Beaufort, North Carolina, on the 24th and 25th days of June, 1869. The Superintendent cast the vote on the part of the State at this meeting; Col. Wm. J. Clarke appearing as State proxy, under an appointment of His Excellency the Governor, claiming to represent the State's interest as such proxy, and to cast the vote under such appointment. His claims were submitted to the meeting and rejected, and the Superintendent admitted as the lawful representative of the State's interest, and his vote cast as such.

NORTH CAROLINA RAIL ROAD.

The meeting of the stockholders of this Road for the election and appointment of a Board of Directors for the current year, took place at Salisbury, North Carolina, on the 9th day of July, 1869. On the 29th day of June, ten days anterior to this meeting, a writ of injunction was sued out of the Superior Court of North Carolina for the County of Wake, before Judge Watts, by W. A. Smith, President of this Road, enjoining and restraining the Superintendent from the performance of his official duties at such meeting, commanding him to abstain from exercising the powers and duties of his office at said meeting, either by himself, his agent, proxy or attorney.

On the 9th day of July, the Superintendent attended at said meeting for the purpose of representing the State's interest in this Road, where Byron Laffin attended as State proxy, claiming, under authority of an appointment of His Excellency the Governor, to represent the State's interest at said meeting, in opposition to the Superintendent of Public

Works. Whereupon, a writ of injunction was sued out in the Superior Court of North Carolina, in and for the County of Rowan, and served upon the said Laflin and His Excellency the Governor, enjoining and restraining them, and each of them, from exercising the office of State proxy, or casting the vote of the State, or appointing Directors on the part of the State, or in any manner interfering with the duties of the Superintendent of Public Works at such meeting. The meeting of stockholders, by a vote taken, rejected the right of the Superintendent to represent the State's interest at said meeting, and admitted the said Laflin as State proxy. The question of the rights and duties of the Governor and Superintendent to represent the State's interest in the public Roads, is now before the Supreme Court, on an appeal from the decision of the Court below upon the injunction mentioned, but the Superintendent is without funds to conduct the suit and to employ such counsel as the importance of the question demands.

WILMINGTON, CHARLOTTE AND RUTHERFORD RAIL ROAD.

The meeting for the election and appointment of a Board of Directors for this Road for the current year, convened at Wilmington, North Carolina, July 29th, 1869.

The Superintendent was in attendance for the performance of his official duties and was served with a writ of injunction, sued out by Dr. Wm. Sloan, as in the case of the North Carolina Road. Upon the advice of counsel, that the injunction was defective and void, the injunction was disregarded and the Superintendent appointed the Directors on the part of the State at said meeting. Whereupon the stockholders voted to reject his appointees, and did reject them, and the State was not admitted to further representation, nor the Superintendent recognized as charged with the State's interest in said meeting.

EASTERN DIVISION OF THE WESTERN NORTH CAROLINA RAIL
ROAD.

The meeting for the election and appointment of a Board of Directors of this Division, convened at Newton, N. C., on the 29th day of August, 1869. Hon. Tod. R. Caldwell appeared as State proxy in opposition to the Superintendent, claiming to represent the State's interest in said Road under an appointment from His Excellency the Governor, and the Superintendent gave his proxy to the said Tod. R. Caldwell, whereupon the present Board of Directors were elected.

WESTERN DIVISION OF THE WESTERN NORTH CAROLINA RAIL ROAD.

At the meeting of the stockholders of this Road, the proxy appointed by the Superintendent, Mr. G. M. Roberts, was not admitted as such by the meeting, and the proxy appointed by His Excellency the Governor, was admitted and cast the vote of the State, for the election of a Board of Directors for the current year.

WILMINGTON, CHARLOTTE AND RUTHERFORD RAIL ROAD.

The meeting of the stockholders for the reorganization of a Board of Directors for the current year, convened at Charlotte, N. C., on the 20th day of October, 1869. The Superintendent attended at said meeting for the purpose of representing the State's interest in said Road and casting the vote thereof in business relating thereto. When called upon for a certificate of stock on the part of the State to enable the Superintendent to exhibit his authority, Dr. Wm. Sloan, President of this Road, stated that he would not issue such certificate on the grounds that the stock, although *at his disposal and subject to his order and control*, was in the custody of the State Treasurer, and that he did not intend to call for it until it was worth 75 or 80 cents on the market. The

legitimate fruit of this financial quibble and evasion of the law, is to vest the control of this great Road in the hands of the private stockholders, representing one-third of the stock of the Road, leaving the State, after having subscribed and placed to the credit of the President thereof in her bonds, the sum of \$4,000,000, without representation, for an indefinite period. The Superintendent was not allowed to participate in the deliberations of said meeting, and the State was not represented.

WESTERN NORTH CAROLINA RAIL ROAD.

At the meeting of the stockholders of this Road, held at Fayetteville, N. C , George A. Graham, State proxy under appointment of the Governor, was admitted and represented the State's interest in said Rail Road.

CONSOLIDATED REPORT.

The consolidated annual report of the condition of the public works throughout the State, transmitted herewith, is defective in many particulars; the Presidents of Rail Roads who have reported having omitted many important and essential items. The consolidated report transmitted herewith is a compendium derived from these reports with such additional information as the Superintendent has derived or obtained from actual and careful inspection of the works submitted.

The reports herewith transmitted comprise that of the President of the North Carolina Rail Road, Atlantic and North Carolina Rail Road, Western Rail Road, Atlantic, Tennessee and Ohio Rail Road, in which the State has an interest. The Piedmont Rail Road, Seaboard and Roanoke Rail Road and Charlotte and Columbia Rail Road in which the State has no interest.

The following Rail Roads in which the State has an interest have not reported to this office as required by law, viz: Wilmington, Charlotte and Rutherford Rail Road, Dr. Wm. Sloan, President; Western Division Western North Carolina Rail Road, G. W. Swepson, President; Eastern Division

Western North Carolina Rail Road, J. J. Mott, President; Williamston and Tarboro Rail Road, Mr. J. R. Stubbs, President; Chatham Rail Road, Dr. W. J. Hawkins, President.

The following in which the State has no interest have not been reported to this office: Wilmington and Weldon Rail Road, R. R. Bridgers, President; Raleigh and Gaston Rail Road, Dr. W. J. Hawkins, President; Wilmington and Manchester Rail Road, John A. Taylor, President.

Printed blank forms were forwarded by mail from this office as required by law to the Presidents of all the Rail Roads in the State, at least sixty days before the time required for their reports to be filed in this office, and every facility given them for a strict compliance with the law in this respect. Their failure to comply with this provision of the act has been reported by the Superintendent to the Attorney General as required.

The following Rail Roads have been carefully inspected by the Superintendent, the officers of which kindly furnished a special train with ample accommodations for all needful purposes, viz: Atlantic and North Carolina Rail Road; North Carolina Rail Road, Eastern Division; Western North Carolina Rail Road, Western Division; Western North Carolina Rail Road; Piedmont Rail Road—in the last of which the State has no interest.

These roads were found to be in very good working order and condition, and many and important repairs and improvements have been made during the past year.

The most remarkable defect noted upon these Roads is the defective grading. A false and expensive economy of expenditures in grading the Road beds is noticable through all North Carolina Rail Roads. The Roads pass over many elevations, which a slight additional expense at the time of building would have reduced to a positive level, saving many thousand dollars per annum in the expenditure of fuel, and unnecessary wear and tear of engine and train.

CANALS.

The incomplete report of the Albemarle and Chesapeake Canal has been returned for authentication. No satisfactory information can be derived therefrom, except it be the unparalleled financial feat of balancing the Debtor and Credit column to a farthing.

This Canal is 21 miles long, and has one Lock only. The capital stock is \$888,100, the State's interest being \$350,000. The expense of operating the same for the current year, as reported, is \$73,000.

It is remarkable that the Dismal Swamp Canal, 28 miles long, and containing 5 Locks, reports a cost of operation for the current year of \$11,000, or, as "one is to seven. The State has no stock in the latter. For a more particular report of the condition and operation of this Canal, your honorable body is referred to the report of your Committee, appointed at the last preceding session.

It is recommended that authority be given to investigate more fully the financial condition of this Canal, and especially that portion of time included between the surrender of Newbern and the close of the war. And that power be given to make such changes in the officers of that portion of the Canal lying within the limits of North Carolina, as may be deemed necessary for the public interests.

It is the opinion in well informed circles that a fair and just operation of this Canal would secure a remunerative revenue to all the stockholders: whereas, under the present management, it is accumulating an additional burden of debt annually, secured by bond and mortgage of unknown terms, which are liable at any time they may become due to foreclosure and sale, and the State compelled to purchase the entire length of the Canal, or sacrifice her investment.

The Dismal Swamp Canal has not reported to this office, as required by law.

The report of the Cape Fear Navigation Company and Quarantine Officers are herewith transmitted.

TURNPIKES.

The Marion and Asheville Pike has three branches, one via Bakersville to Asheville is now being surveyed and located, that from Bakersville to Jefferson has been surveyed and advertised for contract; that from Patterson's Factory to "Hickory" or "Icard's" Station is being surveyed and located; that from North River to Adam's Creek is under contract, to be completed by April 1st, 1870. The sum total of contract being \$80 less than the sum appropriated by your honorable body, viz: \$4,920.

POWERS AND DUTIES.

It is to be deeply regretted that the act defining the powers and duties of the Superintendent of Public Works had not been so clear and specific as to preclude any possibility of a conflict of authority between the Superintendent and those in whom former laws vested the authority, consolidated and vested in the Superintendent of Public Works by the act of April 12, 1869.

The opposing interests and influence brought to bear against him during the past year under adverse claim of authority, has been of such a nature as to cripple his influence, and make his authority generally disrespected and disregarded with impunity, and most especially in that part of his duties which relate to the representation of the State's interests in her Rail Roads. It would seem that the letter of the law was sufficiently distinct and clear upon this subject to satisfy any fair mind as to its intention; but that the Directors of a large majority of the Rail Roads in the State, in which the State has an interest, have taken office by the suffrage of the State, other than by the vote of the Superintendent, is palpable evidence of a conflict which should not continue.

If the authority to cast the vote of the State, at these elec-

tions and appoint her directors is vested by law solely in the Superintendent of Public Works, then the State's interest in her public works is controlled by officers or individuals, without legal authority, and millions of money appropriated is being illegally expended by them.

If the contrary is the truth, and His Excellency, the Governor, vested with the authority to represent the State's interest, appoint Directors and cast her vote in relation to her public works, then the Superintendent has been in error, and his appointees are illegal and void. Your honorable body will observe, that these are momentous issues, involving the Superintendent in a controversy extremely delicate, and disastrous to the public interest. The most salutary laws are without force or virtue, with injunctions, enforced by power upon one side, and injunctions disregarded upon the other.

It would seem that further legislation is required, defining the powers and duties of the Superintendent of Public Works, and fixing a fine and penalty, for interfering with him in the performance of his duties, or failure to comply with his requisitions for assistance and information upon matters of public interest.

Recommended, that your honorable body so amend the law touching appropriations of public moneys for Internal Improvements as to require the public Treasurer to issue bonds only when the certificate of the proper officer is filed, that certain sections are completed, and that he issue bonds only *pro rata*, for such completed section, and no more.

The Superintendent recommends and asks to be allowed to purchase the following articles, for the uses mentioned, the cost not to exceed the annexed estimated value:

One Hand-Car for the inspection of Rail Roads, \$250; one set Engineer's instrument, transit therewith \$250; one set Drawing instruments and mapping material, \$100; Books, standard writings on Public Works, &c., \$100.

The traveling and incidental expenses of the Superinten-

dent and his Clerk while inspecting the Public Works and attending public meetings of Stockholders and Directors, has been forty-eight dollars and fifty cents, (\$48.50.)

All of which is respectfully submitted,

C. L. HARRIS,
Supt. Public Works.

TABLE A.

REPORT OF THE STATE'S INTEREST IN PUBLIC WORKS.

1869. Dec.	N. C. R. R. Co.		
		Funded Debt,	\$ 575,230
	"	Outstanding Debt,	102,629 04
	"	Cost of Equipment,	426,400 58
	"	Cost of Construction,	4,497,742 25
	"	Amount of State's Interest,	3,000,000
	"	Condition of State's Interest,	
	"	as of $\frac{3}{4}$ of the other exhibits	
	"	in the report,	
	"	Character of State's Interest,	
	"	20,000 shares par value,	2,000,000
	"	Character of State's Interest,	
	"	10,000 shares preferred val.	1,000,000
	"	Original Cost of Fixtures and	
	"	Real Estate,	25,701 61
	"	Value of Material on hand,	37,094 35
	"	Total value of Company, in-	
	"	cluding resources,	5,360,267 47
	"	Total Debt of Company, inclu-	
	"	ding capital stock,	4,677,859 04
	"	Balance in favor of Company,	682,708 43
	"	Receipts for Passengers during	
	"	year,	196,187 95
	"	Receipts for Freight during	
	"	year,	364,140 90
	"	Receipts from all other sources,	97,788 57
	"	Total receipts,	658,117 42
	"	Extraordinary Expenditures	
	"	for year, permanent,	103,001 37
	"	Extraordinary Expenditures	
	"	for year incidental,	6,631 58
	"	Extraordinary Expenditures	
	"	for Interest, Principal and	
	"	Discount,	30,244 83
	"	Ordinary Expenditures for	
	"	year,	261,233 09
	"	Total cost for the year,	401,110 87

TABLE A.—(Continued.)

1869.	N. C. R.		
Dec.	R. Co.	Rates per mile, 1st, 2d and 3d	
	"	Class, 4, 5 and 6 cents,	
	"	Aggregate profits per mile,	1,152 49
	"	Rates per ton for freight,	4 38
	"	Total liabilities of Company,	1,292,249 14
	"	Total assets of Company,	724,913 03
	"	Total balance of Company,	677,859 11
	"	Debt of Company,	677,859 04
1869.	A. T. & O. R. R.	Amount of State Bonds,	\$ 2,000,000
		None sold, and all in possession of the Company. They were given with a stationery lien upon the Road. Their value may be classed with North Carolina Bonds in the market.	

TABLE A.—(Continued.)

REPORT OF PUBLIC WORKS IN WHICH THE STATE HAS NO INTEREST.

1869.			
	Piedm't		
	R. R.	Capital Stock,	\$ 1,500,000
	"	Funded Debt,	279,000
	"	Outstanding Debt,	219,531 65
	"	Cost of Construction,	1,260,148 02
	"	Equipment of Buildings and }	
	"	Real Estate,	
	"	Assessed Value of Real Estate,	200,000
	"	Total value of Company's	
	"	Property,	700,000
	"	Debt of Company,	498,531 65
	"	Balance,	201,468 35
	"	Cash interest paid on outstand-	
	"	ing debts,	21,040
	"	Funded outstanding debt of	
	"	the Company,	452,062 81
	"	Expenditures during the year,	91,468 84
	"	Total liabilities,	543,531 65
	"	Value of assets,	720,900
	"	Receipts during the year from	
	"	all sources,	45,000
	"	Total assets,	765,900
	"	Balance,	222,368 35
	"	Mortgage lien on Road,	500,000
	Cape F.		
	N. Co.	Capitol Stock,	89,662 50
	"	Value of stock per share	5
	"	Number of shares, (1,793½,)	
	"	Number of shares, (1,077,)	
	"	Value of Buildings in North	
	"	Carolina,	1,500
	C. & C.		
	R. R.	This Company report that the	
		State has no interest, and	
		give no details.	

TABLE A.—(Continued.)

REPORT OF STATE'S INTEREST IN PUBLIC WORKS.

1869.	A. & N.		
	C. R. R.	Capital Stock,	\$ 1,800,000
	"	Market value of stock, \$10 to	
	"	\$12 per share,	
	"	Funded Debt,	200,000
	"	Outstanding debt,	25,000
	"	Cost of Construction and	
	"	Equipment,	2,178,959 85
	"	Amount of State's interest,	1,266,600
	"	Condition of State's interest,	
	"	(same as individual interest,)	
	"	Character of State's interest,	
	"	(stock in the Road,)	
	"	Market value of State's interest,	
	"	(\$10 to \$12 per share,)	
	"	Original cost of Real Estate,	30,000
	"	Value of material on hand,	
	"	approximate,	6,000
	"	Total debt of Company, approximate,	225,000
	"	Total receipts from business,	106,801 30
	"	Total cost for the year,	90,264 45
	"	Funded and outstanding debt	
	"	of Company, first of year,	285,000
	"	Expenditures during the year,	142,712 91
	"	Total receipts from all sources,	149,496 44
	"	Lien on Road, first mortgage	
	"	bonds,	200,000
	Chatham		
	R. R.	State's interest,	1,200,000
	"	Character of State's interest,	
	"	2nd mortgaged bonds, order	
	"	of Convention,	
	"	Character of State's interest,	
	"	2nd mortgage bonds, under	
	"	act Assembly, in litigation,	2,000,000

TABLE A.—(Continued.)

REPORT OF PUBLIC WORKS IN WHICH THE STATE HAS INTEREST.

1869.			
	W. R. R.	Capital Stock,	\$ 2,932,332 19
	"	Market value, \$10 per share,	30,489 49
	"	Outstanding debt,	
	"	Cost of construction and equip-	
	"	ment,	1,100,000
	"	Amount of State's interest,	2,600,000
	"	Condition of State's interest,	
	"	same as Company,	
	"	Character of State's interest,	
	"	1,000,000 N. C. Rail Road,	
	"	600,000 first mortgage,	
	"	1,000,000 special tax,	2,600,000
	"	Value of buildings,	8,000
	"	Cost of buildings,	8,000
	"	Value of fixtures,	4,000
	"	Cost of fixtures,	4,000
	"	Estimated value of real estate,	7,400
	"	Estimated value of total affix-	
	"	tures, buildings and real	
	"	estate,	19,400
	"	Value of material on hand,	3,000
	"	Total value of Comp'ny pr'p'ty,	1,100,000
	"	Total debt of Company,	30,489 49
	"	Balance,	1,069,510 51
	"	Total receipts,	49,452 75
	"	Total cost for the year,	52,073 58
	"	Outstanding debt of Company,	32,989 49
	"	Expenditures during the year,	52,073 58
	"	Total,	85,063 07
	"	Receipts during the year from	
	"	all sources,	49,452 75
	"	Total amount appropriated in	
	"	bonds,	2,000,000
	"	Fifty-five bonds sold and money	
	"	in hands for same, expenses	
	"	accepted and interest paid by	
	"	President,	

TABLE A.—(Continued.)

1869.	A. & C.		
	Canal.	Capital stock,	\$1,000,000
	"	Funded debt,	400,000
	"	Outstanding debt,	23,727 34
	"	Cost of construction and equip-	
	"	ment,	1,242,619 05
	"	Cost of buildings, &c.,	65,000
	"	Original cost of real estate,	17,000
	"	Estimated value of real estate,	30,000
	"	Assessed value of real estate,	4,260
	"	Total estimated value of build-	
	"	ings, &c.,	34,260
	"	Total value Company's prop'ty,	40,000
	"	Total debt of Company,	400,000
	"	Total receipts,	68,214 57
	"	Incidental expenses,	30,878 39
	"	Cash interest paid on outstand-	
	"	ing debt,	7,148 36
	"	Total cost for the year,	71,531 88
	"	Funded and outstanding debt	
	"	first of year,	400,000
	"	Total value of assets,	68,214 57
	"	Balance,	4,645 31
	"	Liens on Canal, (value of),	400,000

TABLE B.

REPORT OF PUBLIC WORKS IN WHICH THE STATE HAS INTEREST.

		MILES.	NO.	ACRES.	TONS.	C'NDITI'N.
West. R. R.	Length of Road,	134				
"	Length of R'd completed,	44				
"	L'gth of R'd not compl'td,	90				
"	Length of side track,	$\frac{3}{4}$				
"	Number of bridges,		7			Good.
"	Amount of real estate,			47		
"	Number of engines,		4			Good.
"	Number of cars,		48			
"	Total No. of employees,		62			
"	Tot. tons of fr'ght carried,				17,659	

TABLE B.—(*Continued.*)

REPORT OF PUBLIC WORKS IN WHICH STATE HAS INTEREST.

		MILES.	NO.	ACRES.
C. & A. Canal.	Length of Canal,	14		
"	Length of Canal navigation,	60		
"	Number of Locks,		1	
"	Amount of real estate,			4,300
"	Number of employees,		31	

TABLE B.—(Continued.)

REPORT OF STATE'S INTEREST IN PUBLIC WORKS.

		MILES.	LBS.	NO.	ACRES.
A. & N. C.					
R. R.	Length of Road,	95			
"	Length of side track,	5			
"	Weight of rail per yard,		60		
"	Number of Bridges,			12	Good.
"	No. of acres, real estate,				125
"	Number of engines,				
"	No. of cars, pas., box plat.,			9	{ 8 g'd 1 b'd
"	No. m's run by all trains over road,	103,663		77	
"	Total No. of employees,			125	

TABLE B.—(Continued.)

REPORT OF PUBLIC WORKS IN WHICH THE STATE HAS NO INTEREST.

		C'NDITI'N.	MILES.	ACRES.	NO.	LBS.
Piedmont						
R. R. Co.,	Total Length of Road,		48,46			
"	Tot. L'gth of R'd in N. C.,		42,12			
"	" " " " " Va.,		634			
"	" " " " "side tr'ck,		2			
"	Weight of rail per yard,					52
"	No. of bridges on Road,	Good.			9	
"	Tot. am't of real estate,			528,56		
"	Am't of real est. in Va.,			74,66		
"	" " " in N. C.,			428,56		
S'b'd & R.	No. of miles of in N. C.,		17			
R. R.	Weight of rail per yard,					50
"	One bridge over Ro'noke					
"	river,					

TABLE B.—(Continued.)

REPORT OF PUBLIC WORKS IN WHICH THE STATE HAS INTEREST.

		C'NDITI'N.	MILES.	LBS.	NO.
N. C. R.					
R. Co.	Length of Road completed,		223		
"	" " side track,		42		
"	Weight of rail per yard,			56,60	
"	No. of bridges completed,				23
"	Tot. No. of engines in use,	{ g'n'l'y good.			24
"	Conditions " " "				21
"	" " " "				3
"	First class pas'nger cars,	Good.			5
"	Sec'nd " " "	Bad.			29
"	Box " " "	Good.			142
"	Pole cars,	rn'g o'dr			42
"	Platform (including bridge	do.			
"	and gravel) cars,	do.			125
"	Total No. of cars,	average.			342
"	Total weight of fr'ght car-				
"	ried,			83,284	

EXPENDITURES, SHOWING ACTUAL EXPENSE INCURRED IN
OFFICIAL DUTIES.

1869.	Expense of Inspection of Piedmont Bail Road,	\$	4 50
	Rail Road fare of Assistant from Greensboro' to Raleigh,		5 25
	Expense of Inspection of Western Rail Road,		3 50
	Expense of Inspection of East Division of Western N. C. Rail Road,		4 50
	Expense of Inspection of Atlantic & N. C. Rail Road,		4
	Expense of Inspection of North Carolina Rail Road,		4
	Expense of attending Stockholders' meeting of Wilmington, Charlotte & Rutherford Rail Road,		3
	Expense of attending Stockholders' meeting of East Division of Western N. C. Rail Road,		3 50
	Expense of attending Stockholders' meeting of North Carolina Rail Road,		10 75
	Expense of attending Stockholders' meeting of North Carolina Rail Road,		3 50
	Expense of attending Stockholders' meeting of Atlantic & North Carolina Rail Road,		2
	Total expense,	\$	48 50

ESTIMATE OF APPROPRIATION ASKED FOR PUBLIC WORKS OF
THE STATE.

1869.	SPECIFICATIONS.	AM'T. IN DETAIL ASKED.	TOTAL AM'T. ASKED.
	Dr. E. Grissom, Insane Asylum,		\$ 12,000
	Pump,	\$ 300	
	Piping for hot water,	1,500	
	Additional heating surface,	1,000	
	Washing machine,	400	
	Wringing machine,	400	
	Gas Works,	1,000	
	Painting,	2,500	
	Ten Pin Alley,	300	
	Books for Library,	300	
	Additional Water Pipe,	300	
	Blacksmith Shop	1,000	
	Carpenter's Shop,		
	Shoe Shop,		
	Furniture for Centre Building,	2,000	
	Boiler, (including house,)	2,000	
	Wiley J. Palmer, Deaf and Dumb Institute,		6,000
	C. L. Harris, Superintendent of Public Works,		700

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

REPORT OF SUPERINTENDENT OF PUBLIC IN-
STRUCTION.

STATE OF NORTH CAROLINA,
OFFICE SUPERINTENDENT PUBLIC INSTRUCTION,
Raleigh, November 1st, 1869.

TO HIS EXCELLENCY, W. W. HOLDEN,
Governor of the State of North Carolina:

SIR:—I have the honor to submit herewith, in accordance with the provisions of the laws of the State, the Annual Report of the Department of Public Instruction, and the accompanying documents for A. D. 1869.

I remain, very respectfully,

Yours, &c.,

S. S. ASHLEY,
Superintendent of Public Instruction.

REPORT.

As required by the Act to provide for a system of Public Instruction, ratified April 12th, 1869, the Board of Education and the Superintendent of Public Instruction have proceeded

in the work of organizing a system of Public Schools, with the following results, viz :

In the Counties which have been divided into Townships, School Committees have been elected ; and in sixty-six Counties respectively, a County Examiner has been appointed.

The School Law, accompanied by Instructions, Forms and Plans of School Houses, has been published, and is being placed as rapidly as possible in the hands of School Officers throughout the State.

Teachers' certificates have been provided for the use of County Examiners, and a School Register is prepared and ready for distribution.

On September 9th, 1868, the Board of Education, by circular, ordered that the Commissioners of each County assume the duties of Superintendents of Common Schools, and proceed to appoint the Committees requisite to take the census of the children between the ages of six and twenty-one years, actually resident in the County also the number and condition of school houses.

This duty has been performed in all the Counties with two exceptions, viz : Edgecombe and Onslow. The whole number of school children in the State as reported, is three hundred and thirty thousand five hundred and eighty-one, (330,581.) Of this number, 223,815 are white, and 106,766 are colored.

Whole number of school houses reported are 1,906 ; of them, 178 are characterised as good, and 685 as bad.

The census report of County Commissioners is hereunto appended.

The law requires the Public School money to be apportioned by the Superintendent of Public Instruction, to each County, in proportion to the number of persons in the County between the ages of six and twenty-one years, and the distribution to be made according to the census of 1868.

The General Assembly having appropriated one hundred thousand dollars from the General Treasury for school pur-

poses, and having reason to believe that an equal sum will be derived from the Capitation tax, the Superintendent has apportioned among the several Counties, excepting Edgecombe and Onslow, the sum of \$165,290.50, this allows fifty cents per census child or person, (see Table.)

If, when the taxes are finally collected, a further distribution can be made, additional schools will be provided for, or the terms of those already existing can be prolonged, in either case as the public good shall require.

School authorities are receiving all necessary instructions and information.

They can proceed forthwith to establish as many schools as their funds will permit. It is suggested, however, that the funds for this year be expended on a few good, rather than on many poor or indifferent schools. It is far better, and more economical, to employ a few able, well qualified teachers at good, living wages, than many poor teachers at small wages. It is infinitely wiser, more for the public good, that a *few* children should be correctly, successfully instructed than that *many* should be erroneously and viciously taught. It is better for the system of public instruction now organizing, that there should be a few good, rather than many poor schools. To give it a successful course the system must have a good beginning.

It is to be regretted that the pecuniary condition of the State, did not allow a larger appropriation for the last year. But we hope, and quietly expect, that better times will be met with more liberal devisings.

Probably, many citizens entertain erroneous views with regard to money expended for public instruction. Money thus disbursed is not capital sunk, lost; but is an investment. Taxes for the support of schools are provisions for the most permanent, valuable and profitable of "internal improvements." An intelligent people constitute a powerful State.

An educated people bear public burdens with equanimity, cheerfulness and liberality.

It is earnestly recommended that the General Assembly so

increase the appropriation for Public Schools that the wants of every Township shall be so met that no portion of the population shall be long destitute of the privileges of education.

SCHOOL FUND.

The reports of the Board of Education, of the Auditor and of the Treasurer, show the condition and prospects of the "Permanent School Fund."

SWAMP LANDS.

The Swamp Lands are still on hand. Measures should forthwith be taken to turn them to profitable account. They are at present of no advantage to the School Fund and are useless to the State. So extensive are the depredations committed upon them, that yearly, the value of large tracts is diminishing. The report of the Board of Education is quite explicit as to the present aspect of these lands. I bespeak for its recommendations careful consideration.

THE UNIVERSITY.

The reports of the President and Trustees afford ample information concerning this Institution. Still your Excellency will pardon me for urging upon your attention the necessity of securing the co-operation of the General Assembly in our efforts for reviving and sustaining this ancient seat of learning. It is now emphatically in the charge of the State. It can rightfully and authoritatively plead Constitutional guarantees, and remind the Legislature of Constitutional obligations.

The time has arrived for the complete organization of this Institution; for the opening of a Normal Department at Chapel Hill; and for the establishment of the Department for colored students. These measures will require the appoint-

ment of additional professors and teachers. It should be made a true University. To accomplish this, an appeal must be made to the General Assembly. The avails of the land scrip donated by Congress to this State, and given by the General Assembly to the University, have, at last, for the most part, come into the possession of the Trustees; but inasmuch as the income of this investment must be appropriated to a Department of Agriculture and Mechanic Arts, it will be seen that the necessity of a liberal State appropriation is not obviated; it is rather rendered more appropriate and imperative. Not supplemented by other provisions, this gift of the National Government will prove of little value to the State. This donation was made by Congress as an *encouragement* to the States to enlarge and perfect their systems of education; to do more, and not less, in the way of Public Instruction. The State, therefore, should meet the generosity of the National Government with a commendable liberality.

The suggestion that to this National grant the General Assembly should add a permanent State endowment, is well worthy consideration.

Educated by the State, and in the State, her young men, for generations, will become the glory of the State.

NORMAL SCHOOLS.

A system of Public Instruction necessitates the establishment of schools where teachers shall be trained at the public expense. This is the experience of all Countries and States that have given careful attention and support to public schools. Indeed, Normal schools constitute so important a part of the system that no Public School organization is complete without them. There must be some arrangement, some institution that shall prepare suitable persons of both sexes not only to be teachers, but *Public School* teachers—some instruction, that shall have in view the wants of Public Free Schools. Such an institution must be a public arrangement. The Constitu-

tion of the State, therefore, wisely prescribes that the General Assembly shall provide for a Normal department at the University.

But more is needed than a department for Normal instruction at the University. A majority of the Public School teachers will be females—certainly they ought to be. Teaching is preeminently woman's sphere and prerogative. While at the University *young men* can receive Normal instruction, some provision should be made for young women. At some central or convenient point a regularly organized Normal School for young women should be established, forthwith. An inducement should be offered to those young women who are disposed to engage in the work of Public School teaching, and are not able, at their own expense, so to do, to devote the time necessary to a course of preparation for this work. For those who are already engaged in teaching, or will soon be so engaged, there should be an inducement to devote their *vacations*, or the intervals between the sessions of the Public Schools, to Normal instruction. Inasmuch as they are employed in the service of the State, why should not the State offer such inducements? Why not provide for them as well as for young men?

I therefore earnestly recommend the General Assembly to establish at some central and convenient point a Normal School, to which young women shall be admitted, instructed and trained for service as teachers in the Public Free Schools of the State; also, that until the establishment and equipment of such school, the Board of Education be authorized to expend such sums as it may deem advisable in securing the establishment of Normal classes in Educational Institutions already existing in the State.

COLLEGES AND ACADEMIES.

The Superintendent had hoped to be able to present in this report a satisfactory statistical statement concerning all the institutions of learning in this Commonwealth.

In August last the following Circular of inquiry was issued and sent to every part of the State, and it is to be regretted that so few Presidents and Principals have seen fit to respond.

It is desirable that these official reports should embody all the facts and statistics pertaining to educational efforts and institutions throughout the State; thus they become permanent, available history.

As a matter of propriety, all *chartered* institutions should hold themselves ready to respond to the State's inquiries for information.

Next year the Superintendent hopes, and expects, to present a more complete statement, and takes this opportunity to thank the gentlemen who have so promptly and fully replied to his Circular.

STATE OF NORTH CAROLINA,
OFFICE SUPERINTENDENT PUBLIC INSTRUCTION,
Raleigh, August 12th, 1869.

*To Presidents, Principals and Superintendents of Colleges,
Seminaries and Academies in North Carolina:*

In order to present a correct and satisfactory report of the educational institutions of the State, the undersigned respectfully solicits your co-operation in obtaining and forwarding to this office the following statistics for the scholastic year ending in 1869.

Very respectfully,

S. S. ASHLEY,
Superintendent Public Instruction.

1. Name and location of Institution.
2. Name and degree of President and Principal.
3. Year in which the Institution was established.
4. Number of regular Professors or Teachers. Male ,
Female , Total

5. Whole number of students in attendance during the year.
6. No. of students enrolled each term or quarter of the year.
1st term , 2d term , 3d term , 4th term
7. No. of years occupied in completing the several courses of study. Classical Course , Scientific Course ,
. . . . Course
8. No. of students pursuing the several courses of study during the year. Classical Course , Scientific Course , Course.
9. No. of students in preparatory classes, including all irregular students.
10. No. of graduates in each course in 18... Classical Course, , Scientific Course, , Course.
11. Whole number of graduates in Classical Course since the Institution was established,
12. Number of weeks in scholastic year.
13. Cost of tuition per year.
14. Estimated yearly expenses of student, including board.
15. Number of indigent students granted free tuition during the year.
16. Amount of income from tuition during the year.
17. Value of buildings and grounds.
18. Value of apparatus, not including libraries.
19. Number of volumes in libraries.
20. Date of next commencement.

The foregoing is a correct statement.

.....

.....

..... North Carolina,

.....18...

NOTE.—In several institutions of the State several courses of study are prescribed. The Superintendent wishes to ascertain the number pursuing each of those several courses. The name of the third course can be supplied by the person filling the blank.

UNIVERSITY OF NORTH CAROLINA,

Is situated at Chapel Hill, Orange County.

President, Rev. Solomon Pool.

Has five (5) Professors.

Was established in 1795.

Number of students in attendance during the year, 35.

Whole number of students enrolled: 1st term, 10; 2d term, 31.

Number of years occupied in completing the several courses of study, 4.

Number of students in preparatory classes, including all irregular students, 25.

Whole number of graduates since the institution was established, 1,734.

Number of weeks in scholastic year, 40.

Cost of tuition per year, \$40.

Estimated yearly expenses of students, including board, \$200 to \$225.

Value of building and grounds, \$150,000.

Value of apparatus, not including libraries, \$14,000.

Number of volumes in libraries, 22,000.

Next commencement in June, 1870.

For further particulars concerning the University, see report of Trustees for 1869, hereto annexed.

DAVIDSON COLLEGE,

Is situated in Mecklenburg County.

President, G. Wilson McPhail, D. D., LL.D.

Was established in 1830.

Has five regular Professors. The report made in August, stated that two more were to be elected in October.

Whole No. of students in attendance during the year, 122.

There are two courses of study, viz:

(1.) Classical, occupying four years, with ninety-nine students.

(2.) Scientific, occupying three years, with sixteen students.

(3.) Preparatory, with seven students.

Number of students in Preparatory classes, including all irregular students is, 23.

In 1869, the number of graduates in each course was,
Classical 12.

Scientific 00.

Whole number of Alumni, (estimated,) 300.

Number of weeks in scholastic year, 40.

Cost of tuition per year, \$45.

Annual expenses of students, including board, \$225 to \$230.

Value of building and grounds, (estimated,) \$175,000.

Next commencement will be held on the last Tuesday in June, 1870.

TRINITY COLLEGE,

Situated in Randolph County.

President, Rev. B. Craven, D. D.

Has six Professors.

Was established in 1850.

Number of students in attendance during the year, 142.

Whole number of students enrolled: 1st term, 110; 2d term, 130.

There are three courses of study, viz:

(1.) Classical, occupying 4 years, with 93 students.

(2.) Scientific, occupying 4 years, with 49 students.

(3.) Theological, occupying 4 years, with 4 students.

The Preparatory classes, including all irregular students, number 58 students.

Alumni, of the classical course, number 100.

The scholastic year occupies 42 weeks.

The cost of tuition is \$190 to \$225.

Number of indigent students receiving free tuition, 18.

Amount of income from tuition during the year, \$5,871.

Value of buildings and grounds, \$20,000.

Value of apparatus, not including libraries, \$1,000.

Number of volumes in libraries, 6,100.

Date of next commencement, June 9, 1870.

During the year there was no case of sickness in the College. No student was expelled. Of the 142, ninety-five were members of some church. The denominations represented were Methodists, Episcopalians, Presbyterians, Baptists, Quakers and Lutherans.

At last Commencement the curriculum was changed to the University plan. There are now eleven schools of Instruction. Students may make their own selection. The degrees are:

1. Graduate of School.

2. Bachelor of Science: this requires Mathematics, Natural Science, Engraving and Architecture, and Analytical Chemistry.

3. Bachelor of Arts: this requires Latin, Greek, Mathematics, English Literature, Natural Sciences, Metaphysics, Rhetoric and Logic and French, as one Ancient Language may be omitted, and German and a higher course in English literature and Natural Science taken in its place.

4. Master of Arts: this requires Latin, Greek, Mathematics, English Literature, Natural Science, Metaphysics, Rhetoric and Logic, German, French, and Engineering and Architecture, or Analytical Chemistry.

Very respectfully,

B. CRAVEN.

OLIN COLLEGE,

Is situated in Iredell County.

President James Southgate.

Has two Professors or Teachers, one male and one female.

Was established about 1853.

Had students in attendance during the year, 48.

Students enrolled each term, viz: 1st term, 12; 2nd term, 18; 3rd term, 30.

Students pursuing classical course, 8.

Students in preparatory classes, including all irregular students, 22.

Scholastic year comprises 20 weeks.

Cost of tuition per year, \$10 to \$25.

Yearly expense per student, including board, \$80 to \$90.

Indigent students granted free tuition, 2.

Amount of income from tuition during the year, \$500.

Value of buildings and grounds, \$10,000.

Value of apparatus not including libraries, \$100.

No. of volumes in Libraries about 500.

Date of next Commencement, 2d Monday in June, 1870.

President Southgate remarks that this College is now operating merely as a high school.

N. C. COLLEGE,

Is situated at Mt. Pleasant, Cabarrus County.

President S. A. Bickle, A. M.

Has three Professors.

Students in attendance during the year, 65.

No. of students enrolled, 1st term, 22; 2d term, 59.

Courses of study, viz:

(1.) Preparatory, occupying 2 to 3 years.

(2.) College course, occupying 4 years.

Number of students in Preparatory classes, including all irregular students, 63.

Scholastic year comprises 40 weeks.

Cost of tuition per year, \$20, \$30 and \$40.

Value of buildings and grounds, \$18,000.

Value of apparatus, not including libraries, \$1,000.

Number of volumes in libraries, 800.

Date of next Commencement, May 26th, 1870.

CONCORD FEMALE PRESBYTERIAN COLLEGE,

Is located at Statesville, Iredell County.
President, Rev. E. F. Rockwell, A. M.
Established (corner stone laid) 1854.
Number of male teachers 2, of female, 2.
Students in attendance during the year, about 50.
Scholastic year comprises 40 weeks.
Cost of tuition per year \$20 to \$50.
Yearly expense of student including board \$200 to \$250.
Income from tuition during the year, \$1,800.
Value of buildings and grounds, \$25,000.
Number of volumes in Library, about 500.
Date of next Commencement, June 16th, 1879.

DAVENPORT FEMALE COLLEGE,

Is situated in Lenoir, Caldwell County.
President, Rev. Samuel Lander, A. M.
Eight Professors, three male, five female.
Established in 1856.
Number of students in attendance, 99.
Number of students enrolled, viz: 1st term, 66; 2nd term, 71; 3rd term 72.
Courses of study, viz:
(1.) Classical course, occupying 3 years, 17 students.
(2.) Scientific course, occupying 4 years, 44 students.
(3.) Mathematical course, occupying 4 years, 42 students.
(4.) Belles Lettres course, occupying 4 years, 39 students.
Number of students in Preparatory classes including all irregular students, 30.
Scholastic year comprises 40 weeks.
Cost of tuition per year \$20 to \$60.
Yearly expenses of student, including board, \$140 to \$180.
Number of indigent students granted free tuition, 13.

Value of buildings and grounds, \$10,000 to \$15,000.

Value of apparatus, not including Libraries, \$1,000.

Number of volumes in Libraries 300.

Date of next Commencement, December 9 and 10, 1869.

SCHOOLS, STATISTICS, FACTS, &C.

The following statistics of school operations in the State have been gathered from various sources, and are supposed to be tolerably correct.

EDUCATIONAL ASSOCIATIONS have been organized in Chatham and Randolph Counties, and are in successful operation.

The friends of Free Public Schools in all the Counties of the State are earnestly requested to organize similar Associations. Thus shall public sentiment be enlisted in this great work.

I. THE CHATHAM EDUCATIONAL ASSOCIATION.

At the quarterly meeting on October first, the following interesting facts and statistics were reported, viz :

Arrangements initiated for holding a Teacher's Institute at Pittsboro', on December 20th.

Committee on statistics report seven High Schools or Academies, taught by *fifteen* teachers, and attended by *three hundred and nine pupils*.

There are used in the schools 266 pieces of apparatus, valued at \$1,440.50. In Geological Cabinets are 900 specimens, valued at \$400. The value of maps and charts, (271 in number,) is \$636. "1,300 specimens in gardens, valued at \$1,050.00." Three school printing presses, valued at \$1,580.00. 1,335 volumes in libraries, valued at \$1,580.00. Total value of appliances as above, \$5,296.00.

The schools reporting were, Mt. Vernon High School, Messrs. Emerson and Andrews, Principals; Locust Hill Seminary for girls, Rev. Robt. Sutton, Principal; Pittsboro' Scien-

tific Academy, S. Finley Tomlinson, Principal; Ruffin Badger Institute, Rev. Brantley York, Principal; Haw River Academy, T. B. Lassiter, Principal; Yates' Academy, W. H. Merritt Principal.

II. THE BALTIMORE ASSOCIATION OF FRIENDS has established and maintained in this State during the past year, for white children, 44 schools, with 65 teachers and 3,123 pupils. The schools have averaged six and a half months' time. During the last four years about 32 new school houses have been built by these parties. A Normal Institute is held annually. These schools are situated in the following named Counties:

Guilford, Yadkin, Iredell, Randolph, Alamance, Orange, Wayne, Northampton and Perquimans, and are under the efficient superintendence of Allen Jay, Bush Hill.

III. THE SOLDIERS' MEMORIAL SOCIETY OF BOSTON, aided by the Peabody Fund and subscriptions from the citizens, under the direction and immediate supervision of Miss Amey M. Bradley, have maintained two FREE schools in the city of Wilmington, numbering 300 pupils. These schools have been a marked success.

IV. THE NEWBERN ACADEMY, under the charge of Judge Wm. J. Clarke and two assistants, is in successful operation as a *free school* for all white children between the ages of 6 and 21 years. This institution is aided by the Peabody fund. There are in attendance about 70 pupils. Thus the citizens of Newbern, without charge, have the benefit of a first class school.

V. There is also a free school for white children at Beaufort, Carteret County, taught by Miss Emma V. Adams. This school is small but well conducted.

VI. In Raleigh five Parish free schools are open, and attended by a large number of pupils.

VII. SEVERAL "PUBLIC SCHOOLS" are in full and successful operation in Pasquotank County. In Warrenton there is one free Public School, numbering *one hundred and fifty pupils*.

These facts show that the work of Education has begun in good earnest in North Carolina. If rightly directed, these little streams, swelling into rivers and seas, will soon sweep the entire Commonwealth.

VIII. REPORT OF REV. J. W. HOOD.

This is an interesting and valuable document. It is presented in full, because therein is afforded a more satisfactory view of the Educational work among the colored population of this State than can be elsewhere found:

RALEIGH, April 22d, 1869.

TO THE HON. S. S. ASHLEY,
Superintendent of Public Instruction, and
Secretary of the Board of Education:

The following report is most respectfully submitted:

In accordance with instructions received from his Excellency W. W. Holden, Governor and President of the Board of Education, I have endeavored to obtain such information as would enable me to report the number and condition of schools in this State, for the instruction of colored youth.

This report has been delayed in consequence of my failing to obtain passes over the different Rail Roads.

Six weeks had elapsed, after I received my commission, before I obtained a pass over a single road, and up to this time I have not received a pass over several of the most important lines. I need not remind the members of the Board that it was understood that I would be provided with passes over the different Rail Road lines, and that I should not incur expense when it could be avoided. I did hope to be able to visit every school in the State, but as a small portion of them are located at points remote from any rail or stage lines, and it being impossible in some cases, and impracticable in others, to obtain private conveyance, I have not been able (so far) to visit them

For convenience sake, and that a proper estimate may be placed upon the efforts of all parties concerned in the Educational movement, I have divided the schools into five classes.

I. Those which have been established by, or are under the supervision of, the AMERICAN MISSIONARY ASSOCIATION, and the AMERICAN UNION FREEDMEN'S COMMISSION.

These come first in order because of seniority, and of the magnitude of the work they have accomplished, and are still accomplishing. The latter applies most especially to the American Missionary Association. The work of this society has not been confined to supplying Teachers merely, but they have in some places erected school buildings, and in other places have aided the Freedmen in building. To encourage the Freedmen to build they have expended two dollars to their (the Freedmen) one. Besides establishing day, night, and Sabbath Schools, they have at Wilmington a very interesting Industrial School; also an Orphan Asylum.

The American Missionary Association and the Union Commission differ somewhat in mode of operations; but as they have from the beginning, and still do in many instances, operate together, I have placed them in the same class.

These societies began the work together, but differ on the subject of selecting Teachers. The American Missionary Association insists that the teachers shall be members of some Evangelical religious denomination. The Union Commission, deemed this immaterial. There are still schools notwithstanding, the teachers of which are employed by both of these societies.

These societies commenced operations soon after the Union army had established itself in this State.

(1.) I shall commence with the JOHNSON SCHOOL in Raleigh.

This is the largest, and one of the best schools in the city. The building was erected by the Bureau on the African Methodist Episcopal lot. It is capable of accommodating over three hundred pupils. The school has four departments, Primary,

Intermediate, Advanced and Normal, with two hundred and ninety-two pupils and taught by five teachers.

(2.) THE WASHINGTON SCHOOL in Raleigh is entirely under the supervision of the American Missionary Association.

The buildings erected by the society for this school have been leased "temporarily" for the accommodation of the colored division of the Deaf and Dumb and Blind Institution, but the Bureau has erected another building into which the school has been removed. The order of this school reflects great credit upon the teacher. It is in every respect a good school. It numbers seventy-five pupils; the building now occupied will accommodate nearly two hundred pupils.

(3.) THE SMITHFIELD SCHOOL is also entirely under the same supervision. By the untiring efforts of Miss Hayes, the present Preceptress, a half acre of land has been secured on which the Bureau has erected a fine building, this school has therefore a permanent location. The highest number for this term was one hundred and twenty, day and night scholars.

(4.) THE HOWARD SCHOOL, FAYETTEVILLE, may also be set down to the credit of this society. Inspector General Avery pronounced it the best school in the State. Messrs. Fish and Langston confirmed this opinion. The site was purchased by the Freedmen about eighteen months since. It cost about \$140.00. The Bureau has erected thereon a building at a cost of \$3,800.00 and furnished at a cost of \$400.00. The people themselves have made improvements at an expense of \$200.00. The building will accommodate more than three hundred pupils. Two hundred is the highest number for this session. At one time it numbered over three hundred.

(5.) THE SCHOOL AT WHITESVILLE numbers forty-five pupils.

(6.) THE SCHOOLS IN WILMINGTON were established by the A. M. Association immediately upon the occupation of the place by the Union army and have been continued ever since. There are, in the different schools in Wilmington and vicinity, over seven hundred and fifty pupils. The Williston school is the largest in the State, having in its various departments,

(including the regular session, the afternoon and night sessions) over four hundred and fifty pupils. It has five departments, viz: Primary, Intermediate, Advanced, Normal and Industrial. The latter numbers over thirty pupils.

The school building is large, commodious and well ventilated. The society has also a comfortable teacher's home with a chapel attached.

(7.) The school known as the Colored Educational Institute of Wilmington, is supplied with teachers by the same society. The site was given to the colored people by the City authorities, and the building was erected and furnished by the Bureau. The building is one of the best in the State and will accommodate about two hundred pupils. The furniture of this house is miserably poor and inconvenient. This school numbers one hundred and fifty, and is in good condition.

(8.) THE ORPHAN ASYLUM is situated on Middle Sound, and has at present twenty-seven inmates. It has had a much larger number, but when the children become old enough, and good homes can be procured for them, they are sent away. Thus with a small outlay of money a large number of homeless children have been cared for. Mr. S. H. Beals has the Superintendence of all these schools. He seems to be deeply interested in the work.

(9.) *All the Schools in Carteret County*, are under the A. M. Association. The most important of these is the school at Beaufort. This school, (including the regular session, the afternoon and the night school,) numbers four hundred and twenty-five pupils. There are five teachers, a superintendent and matron. The school is well graded and classed. Besides teaching the regular session, each teacher has a class of adults in the afternoon and at night.

The building is large and commodious, including a teacher's home. The site is owned by the colored people, and the building was erected by them, assisted by the Association. The property is held by a board of colored trustees. I consider Beaufort one of our most highly favored towns. Having a

permanent school building, not controlled in the interest of any particular denomination.

10. *The School at Morehead City* is tolerably good, also the one at Hull Swamp. The teachers are earnest, good men, but have not had that training which is necessary to fully qualify one to teach.

11. The colored people have a good school house at North River, and also one on Clumfoot Creek, which the Association assisted them in building. There are no schools in either of these houses at present, because of the want of means to support a teacher.

12. *There are three schools at New River*, and one in the Trent settlement under the Union Commission. The one in the Trent settlement has three departments, Primary, Intermediate and Advanced. There are three hundred pupils, and three teachers. The building belongs to the Bureau, but the ground is private property.

13. *Those in Newbern* are graded, each forming a department. The Metcalf street school is the Primary department. It numbers one hundred and two. The building only belongs to the Bureau. The Intermediate department occupies a building erected by the Bureau on a lot belonging to the Bethel Methodist Church. This is a very good building, but having been built for a Church, it is not suitable for a large school. Having no recitation rooms, the children must recite in an under tone.

The Advanced department occupies the Congregational Church, which is rented by the Bureau. This school numbers one hundred and ten pupils. Miss Chloe Merrick is the preceptress. The order in this school is perfect, and yet Miss Merrick informs me that she has never used the rod in her school. If her scholars misbehave, and severe punishment seems necessary, she sends them to their parents, and will not take them back until their parents correct them, accompany them to the school and she is assured that they will obey.

This school has the largest number of Advanced pupils of any in the State. Several boys are studying Latin.

14. The school at ELIZABETH CITY, supported by the Union Commission, concludes the list in the first class.

I am happy to be able to report that the schools under these societies are all good. Many of the teachers are graduates of our best Northern institutions. Men and women who are willing to make any sacrifice for the purpose of elevating a long oppressed and degraded people.

In nearly all the schools they have established temperance societies. The amount of good thus effected can scarcely be imagined. The members pledge themselves to abstain from all intoxicating drinks, tobacco in every form, and all vulgar or profane language. Very many children who had indulged in the use of tobacco and snuff, have given them up entirely. In some of these schools I did not find half a dozen that used either.

II. THE FRIENDS' SCHOOL.

While these are placed second in order in this report, they are second to none in character. In educating the Freedmen, the Friends are doing a work of praiseworthy benevolence. Without expectation of fee or reward; without attempting to teach the peculiar tenets of their faith; without any apparent desire to advance the interest of their own denomination, they are laboring to dispel the mist of ignorance which has so long hung over the colored people of the South. The Bible is introduced into all of their schools, but is read without comment.

The teachers are selected without regard to sex, sect, section, nativity or complexion.

They are particular, however, respecting the moral character of the teachers. They require of the teachers as much care for the moral as for the intellectual improvement of their pupils. The temperance societies before mentioned are introduced into all of these schools, and a very large proportion of the pupils

have become members. If these organizations can be continued in our schools, they will be the means of saving enough to pay for the public school system.

They have now in this State (25) twenty-five schools. (The number, both of the teachers and schools of this society, has been increased since the above was written, to (37) thirty-seven teachers, and (2,475) two thousand four hundred and seventy-five pupils.)

Number of males 1,243; average attendance 122.

Number of females 1,239; number always present 858.

Number in alphabet, 75.

Number of those who are writing, 1,217.

Number in arithmetic, 794.

Number in geography, 564.

Number in grammar, 116.

(1.) SCHOOL AT GOLDSBORO: This school numbers two hundred and eighty pupils.

Miss Blanche Harris, the preceptress, is a graduate of Oberlin. She has been teaching in the South for five or six years and is considered one of our best teachers. The school is graded, having Primary, Intermediate and Advanced Departments.

The buildings, three in number, are owned by the Friends.

(2.) The school at MEBANESVILLE, occupies the Presbyterian Church. This school is doing remarkably well; the splendid discipline, and rapid progress of the pupils evince untiring efforts on the part of the teachers.

(3.) The school at HILLSBORO' has been poorly managed, but it is hoped the recent change of teachers will be the means of improving its condition.

(4.) The school at GREENSBORO is in good condition.

(5.) The school at SALISBURY is one of the best that the Friends have in this State.

(6.) The school at CHARLOTTE is one of the largest.

(7.) The school at LINCOLNTON is also large. They have 13 schools in the Counties of Rowan Davie and Iredell. Three in

Davidson and three in Guilford. I would recommend that the Board encourage this Society to continue its operations. They have decided to continue another year.

III. THE EPISCOPALIAN PARISH SCHOOLS.

There are seven of these besides the High School in Raleigh. There are two in Newbern, one in Raleigh, one in Wilmington and one in Fayetteville. With one exception they are good schools of the kind. If members of particular denominations choose to support denominational schools, and to have their children's time largely occupied in studying the doctrines and forms of the Church, it is their own matter.

The discipline in these schools is commendable, generally. "The Mission school at Fayetteville is an exception, order is not one of the ingredients of which this school is composed." The teachers are also generally most excellent ladies whose hearts are evidently in the work.

The Bureau appropriated (\$5,000) five thousand dollars for the erection of a building at Raleigh for a Normal School. This building has been erected and is now occupied. It is a very fine building, furnished in the best style. There are no normal classes in the other schools; such of their pupils as are sufficiently advanced are sent to this school.

IV. THE PRESBYTERIAN PAROCHIAL SCHOOLS.

The Presbyterian Church is making great efforts to establish a system of Parochial Schools, and I believe is meeting with satisfactory success. To this end, they have taken the initiatory steps to establish a College at Charlotte, in which they propose to have a Normal School Department. By securing the best material that can be obtained, it is hoped that this department will furnish teachers for the Parochial Schools. If this plan succeeds, the schools thus provided will, in time, prepare material for the Normal School. The College will send out

Preachers and Teachers for schools of a higher grade. The Government through the Bureau has appropriated (\$10,000) ten thousand dollars for the erection of buildings for this institution. One fine building has been erected, and others are under contract. I learn that it is proposed to give tuition free to any whom it is desirable to train for teachers in the common schools; provided, the Board of Education will make an appropriation for their board and room rent. The class of students now at this institution is not generally the most promising, but I suppose were the best that could be had at this time. They have now some very good schools which will give them better material. Their largest and best school is at Charlotte.

They have five other schools in Mecklenburg County. Three in Cabarrus, three in Rowan, one in Iredell, one in Davie, one in Davidson, one in Guilford and one in the City of Wilmington.

V. PRIVATE SCHOOLS.

These are scattered over all parts of the State, except beyond the Blue Ridge, where I have not yet found a single day school. There are Sabbath Schools at several points, and the people seem anxious to have day schools, but complain that they can neither obtain books or teachers. These schools are of various grades and character. Some of them are very good; others are but little better than none. Some of them receive assistance from the Bureau; others do not; some receive more than their merit warrants; others not so much.

Mr. Tupper's school in Raleigh is one of the largest and best of this class of schools. It numbers, including day and night scholars, two hundred and fifty pupils. It is called the Stevens school. Mr. Tupper has a large building, and hopes to establish a high school, and perhaps a college.

The Miles School in Raleigh, which is kept in Rev. Mr. Warwick's Church, and which has formerly been a private school,

is now under the Union Commission ; also the Clinton school at Concord, the school at Oxford, the one at Bethel Hill and the one at Louisburg. The school at Murfreesboro' is an excellent one. There are two good schools in Edenton, one in Hertford, one in Washington, one in Greenville, one in Tarboro' and one in Kinston. There are only a few Counties this side of the Blue Ridge which have no schools. A very large number of these schools is taught in buildings which are but a small improvement on being out of doors. To name the places where the freedmen have put up these rude shanties, would be to speak of the largest portion of the private schools. The freedmen seem anxious to have schools for their children, and are putting up such buildings as they feel able to erect. Where they can do no better they pile up rough logs and cover them with rived boards. It is astonishing to see how contented the children are in these uncomfortable houses. Poor as these buildings are, they are often subjected to the enmity of the whites and are burned down.

SUMMARY.

The whole number of Schools, Teachers and Pupils :

	SCHOOLS.	TEACHERS	PUPILS.
Under A. M. A. and Fr'dman's Union,	19	68	2,840
Under Friends' Society,	29	40	2,425
Under Episcopalian Commission,	6	11	600
In Presbyterian Schools,	16	21	1,100
In Private Schools,	82	84	4,861
	<hr/>	<hr/>	<hr/>
Total,	152	224	11,826

These figures give the highest number in school during the present term. The highest number was reached in January. The number in school at this time does not exceed (10,000) ten thousand.

Most respectfully submitted,

J. W. HOOD, *Agent*.

SUPPLEMENTAL REPORT.

REV. S. S. ASHLEY,

Superintendent of Public Instruction :

The following supplement to my report of April last is most respectfully submitted :

I have nothing to add for the period embraced in that report. The schools supported by the societies were all closed about the first of July. A few of their teachers, however, who did not desire to go North, continued their schools, being supported by private subscription and a small amount from the Bureau. Those denominated private schools were continued, and the number of them more than doubled.

The number in all, for the month of September, reached the unparalleled number of 257 schools and 15,647 pupils. This large increase of private and Bureau schools is the fruit of the normal classes so generally established in the schools in the larger Towns during last winter. The best native teachers that we have are generally from this source. As many as 15 have been sent out from one school. And if sufficient encouragement can be given to normal schools during the coming winter, there will be a very much larger increase of this class of teachers. I feel incapable of urging, in sufficiently strong terms the importance of having under the Board of Education one or more normal schools. It would be advisable, if possible, to open at once the colored department of the University as a normal school. As a site has not yet been obtained for this purpose, and as there appears to be an objection amounting to a prohibition of the use of the unoccupied buildings at Chapel Hill by colored pupils, perhaps the best that can be done for the present is to establish normal schools at several different places in the State, selecting those places that have the largest number of good material.

The increase of schools for September over August was 39 ; of pupils 3,494. The Bureau is expending over \$1,700

monthly for the support of schools, beside large amounts for building and repairs.

The teachers employed by the societies are beginning to return. If the school authorities should agree to employ such for four months, the number will be increased, the societies will be able to occupy a wider field, and the State will secure the advantage of a larger number of good teachers than it could otherwise do. The wages that the State will be able to pay will be so small, and the term so short, that teachers for this alone would not be warranted in coming a very great distance, and we shall not obtain a sufficient supply at home. It is therefore of the utmost importance that the societies be encouraged to send all the teachers they can.

Since the fourth of July I have been engaged in holding educational meetings, which have been generally well attended. I am now satisfied that we shall only be able to get our school system established by going among the people and personally superintending the work. This will be laborious and expensive, but it is the only way that anything can be accomplished.

Most respectfully,

Your obedient servant,

J. W. HOOD, *Agent*.

RALEIGH, Nov. 2d. 1869,

CONCLUSION.

The foregoing statements and recommendations are submitted to your Excellency in full confidence, not only that they will be candidly considered, but that they will meet with your hearty approval, and that the General Assembly will give a favorable and liberal response.

It is proper for the Superintendent of Public Instruction to state that during the year he has been busily engaged in arranging the machinery required by the school act of April last; and in pursuance of his public duties and for delivering addresses and advising with County and Township authorities, has visited the following Counties, viz :

Alamance, Guilford, (Greensboro and Bush Hill) Chatham, Caswell, Carteret, Craven, Cabarrus, Orange, Randolph, New Hanover and Wayne.

Annexed are : The Report of the Board of Education ; Report of the Trustees of the University ; Report of the Institution for the Deaf and Dumb and the Blind ; Table No. 1, County Census for 1868 ; Table No. 2, Capitation assessment for 1869, as reported by the County Commissioners ; Table No. 3, Names of County Examiners and their Post Office address.

S. S. ASHLEY,
Superintendent of Public Instruction.

REPORT OF THE BOARD OF EDUCATION.

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The Board of Education submits the following report :

I. THE PUBLIC SCHOOL FUND.

The principal on hand November 1st, 1869, was in gross, \$2,065,342.43 ; of this sum \$1,047,100 is worthless Bank stock, and \$50,000 is unavailable, being Roanoke Navigation stock. The net Public School Fund is not less than \$968,242.43. The reports of the Auditor and Treasurer will furnish the details.

II. SALES OF PROPERTY.

With the consent and approval of the General Assembly, the Board has sold property as follows :

In December last to Mr. H. S. Short the tract of land situated in Columbus County, and known as the White Marsh Swamp, for two thousand dollars in cash.

On the thirty-first day of March, to W. T. Walters, Esq., of Baltimore, Md., 4,000 shares of stock in the Wilmington and Weldon Rail Road, for one hundred and forty-eight thousand dollars, (\$148,000,) and 2,000 shares in the Wilmington and Manchester Rail Road for ten thousand dollars, (\$10,000) cash. These stocks belonged to the Educational Fund, and the proceeds have been properly and securely invested in new State bonds.

The sale of these stocks will realize to the Board a permanent paying capital of not less than \$450,000. The original investment was \$600,000. The loss, therefore, will not exceed \$150,000.

It is certainly cause for congratulation and encouragement.

that so large a sum has been rescued from a condition of utter unavailability, and made to contribute yearly to the support of Public Schools.

On the first day of May last, Mr. T. S. Lutterloh, of Fayetteville, purchased of the Board all its stock in the Cape Fear Navigation Company, viz : 650 shares for three thousand two hundred and fifty dollars, (\$3,250) cash, which sum is added to the "permanent" fund.

III. STOCKS.

This Board holds certificates of stock in the following corporations, viz :

Bank of North Carolina,	\$ 502,700
Bank of Cape Fear,	544,400
Roanoke Navigation Company,	50,000
	<hr/>
	\$ 1,097,100

The Board having been notified that the Bank of North Carolina had applied for the benefits of the Bankrupt act, an effort was made to protect the interests of the school fund from loss.

By the advice of able legal counsel, proceedings were instituted against the assignee in bankruptcy, of the Bank of North Carolina, to establish the right of the Board of Education to prove their stock in said Bank as a debt against its assets in Bankruptcy.

The matter was argued before Chief Justice Chase at the late June term of the Circuit Court of the United States for this district, and the decision of the Chief Justice was against the Board. An appeal was taken to the Supreme Court of the United States, but in view of the uncertainty of gaining the case, and of the great expense attending its prosecution, the appeal was withdrawn. The Bank stock aforesaid, owned by this Board, may therefore be considered worthless.

The Roanoke Navigation stock should be valuable ; accordingly the Board hopes to turn it to account.

IV. SWAMP LANDS.

These lands still remain useless property. White Oak Swamp, situated in Jones, and Onslow Counties, containing 85,552 acres, has been thoroughly surveyed. An excellent and accurate map has been constructed, from which the bounds and character of this tract can be ascertained with certainty ; it evidently contains much valuable land ; its location is favorable for profitable occupation. If the General Assembly should be pleased to authorize its sale, purchasers at a good price can probably be found.

On the twenty-fifth day of January last, D. P. Bible, Esq., proposed to purchase all the swamp lands belonging to the Board, which are situated in the Counties of Hyde and Tyrrell, and Washington, for the sum of thirty thousand (\$30,000) dollars, to be paid in six months with interest, from the date of purchase, which proposition was accepted. Owing to the restriction laid upon the Board by the act of March 17th, this bargain has not been consummated. It is understood that Mr. Bible is prepared and ready to fulfill his part of the trade, but as the act of March seems to imply an unwillingness on the part of the General Assembly to sell these lands, and appears to have been passed in consequence of this transaction with Mr. Bible, the Board is reluctant to close the trade. The opinions of several persons who are acquainted with the condition and value of the lands were sought, and their prompt and decided advice was, to accept Mr. Bible's proposition.

If the General Assembly shall see fit to untie the hands of the Board, perhaps more favorable propositions can now be obtained. But, as at present restricted, the Board does not consider itself at liberty to offer inducements, or to make propositions to purchasers. The Legislature is not always in session, and so much time is liable to elapse between an offer to pur-

chase and final action thereon, that parties are discouraged from initiating negotiations. If the Board makes propositions of sale, it is by no means certain that the action will be approved and legalized.

It must be obvious that the Board is greatly embarrassed. Inquiries are answered with great difficulty, and to take advantage of favorable opportunities for turning these now waste and useless lands to profit, is almost impossible.

If practicable, they should speedily be made useful to the school fund and the people of the State.

V. SCHOOLS GRADED.

In obedience to section third of the school law, the Board has

Ordered, That whenever it is practicable the schools of the State be graded as follows, viz: 1st, High; 2d, Grammar; 3d, Primary.

Also, that the studies of the respective grades be as follows, viz:

PRIMARY OR 3D GRADE.—Charts, Primer, 1st Reader, 2d Reader, Primary Arithmetic, Primary Geography, Writing on Slate, Singing.

GRAMMAR OR 2D GRADE.—3d Reader, 4th Reader, Speller and Definer, Spelling by Writing, Writing in Books, Intellectual Arithmetic, Written Arithmetic, Advanced Geography, English Grammar, History, Physiology, Map Drawing, English Composition, Elocution, Singing.

HIGH OR 1ST GRADE.—4th Reader, 5th Reader, Spelling by Writing, Advanced Arithmetic, English Grammar, Algebra, Natural Philosophy, Astronomy, Chemistry, Physical Geography, Botany, Composition, Elocution, Map Drawing, Book-keeping, Singing.

It will be seen that the Board has added to the list of studies as prescribed by the General Assembly, History of the United States, Physiology, Algebra, Natural Philosophy, As-

tronomy, Chemistry, Book Keeping, Elocution and Singing. This action is authorized by section 40 of the school law. To fill out properly three grades of schools rendered this addition necessary.

VI. TEACHERS' CERTIFICATES.

A form of certificates for teachers, adapted to two grades, has been adopted. The second grade certificate requires examination in the studies prescribed for Grammar and High Schools.

VII. TEXT BOOKS.

A series of text books has also been adopted by the Board, and provision has been made with the publishers for furnishing them at a reduced price to all public schools. These books are published by four of the most distinguished school book houses in the country, viz: Messrs. A. S. Barnes & Co., Harper & Brother, Scribner & Co., of New York; and Wilson, Hinkle & Co., of Cincinnati, Ohio. They were adopted for the following reasons:

1. Because they are approved books—approved by very many distinguished teachers in this and other States.

2d. They were more extensively in use in the *Common* Schools of the State, *i. e.* in these schools that would at once be most likely to become Public Schools, than any other books; also many of them were in use in the private schools of the State of the higher grade.

3rd. By adopting them, a very general uniformity could be at once secured.

4th. Inasmuch as they are already in the hands of scores of teachers and many thousands of pupils, expense and inconvenience will be saved.

In all parts of the State this action of the Board receives the approbation of teachers, pupils and people.

VIII. AGENT OF THE BOARD.

Deeming it of great importance that the school interests of the colored population of the State should be thoroughly investigated, that numerous and widely scattered schools existing among them should be inspected, and such instruction given the people as was needed to prepare them for the introduction of the Public School system, and as it was evident that this work could not be accomplished by the Superintendent of Public Instruction, without assistance, the Board secured the services of the Rev. J. W. Hood, to act as Agent of the Board and Assistant Superintendent of Public Instruction. With great skill, fidelity, and industry, Mr. Hood has pursued the work of exploration and investigation. He has visited nearly every part of the State and has rendered important aid in securing and in establishing schools.

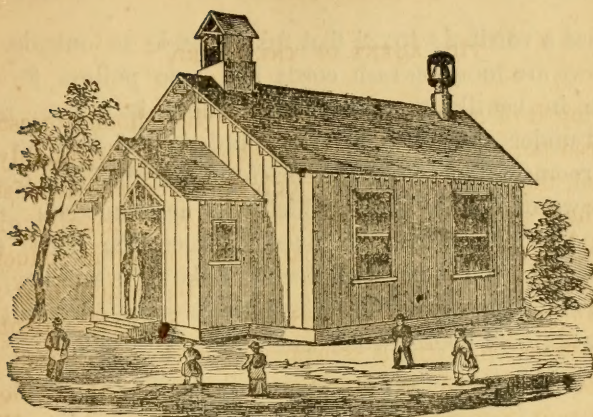
His addresses have been judicious and instructive, and his labors will result in much profit to the State.

Mr. Hood's report is embodied in the report of the Superintendent of Public Instruction. Special attention is asked for it, as it presents a more intelligent and complete view of the work of education among the colored population of this State than has yet been given.

IX. SCHOOL HOUSES.

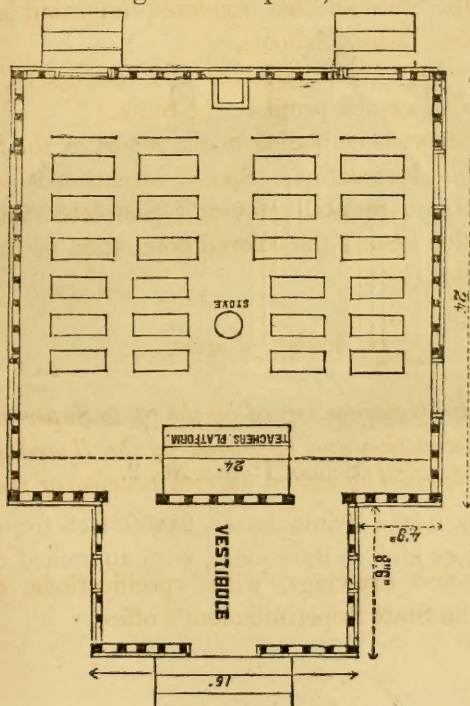
From Plans and drawings issued by the State Superintendent of Public Instruction and approved by the Board of Education, as authorized by section 32, (8th proviso) of the School Law.

These plans and drawings, with specifications, can be obtained from the State Superintendent's office.



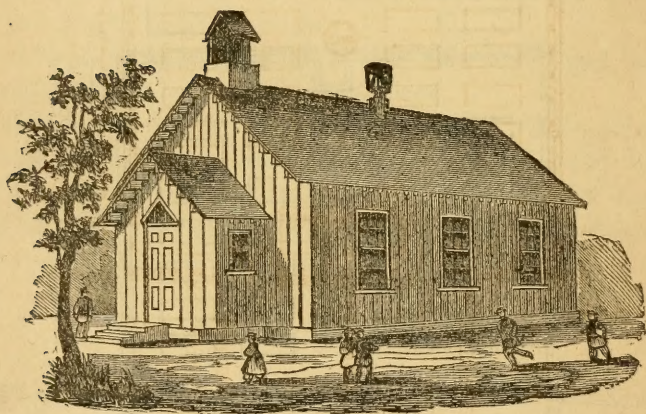
School House No. 1.

House No. 1 is a frame house, 24x24 feet from outside to outside, and 12 feet high to the square, with an arched ceiling.



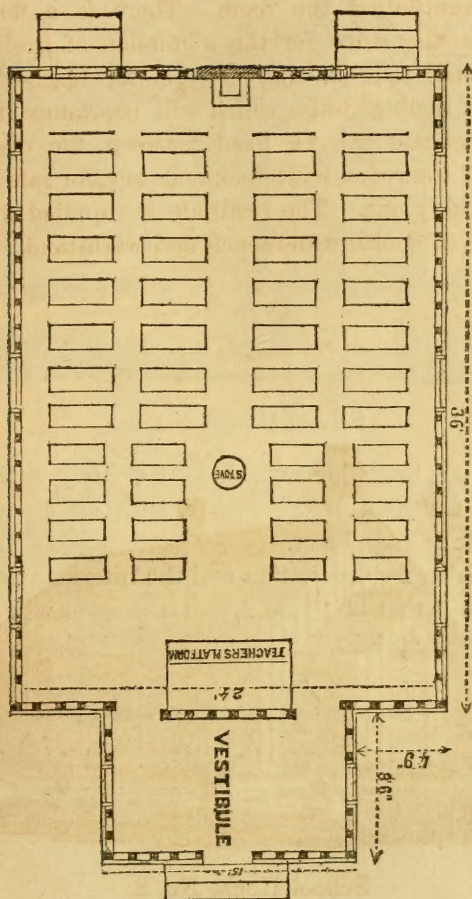
Plan of House No. 1.

It has a vestibule $15 \times 8\frac{1}{2}$ feet from outside to outside. The windows are hung on sash cords and axle pulleys, for convenience in ventilating the room. There is a floor register placed under the stove for the admission of fresh air. The main room will take in the platform for teacher's desk and four rows of double desks, which will accommodate fifty pupils. A bookcase can be fixed between the doors at the lower end of the room, with lock and key, for safe keeping of books, stationery, &c. The vestibule is supplied with shelves and hat-pins or hooks, waterbench and washstand.



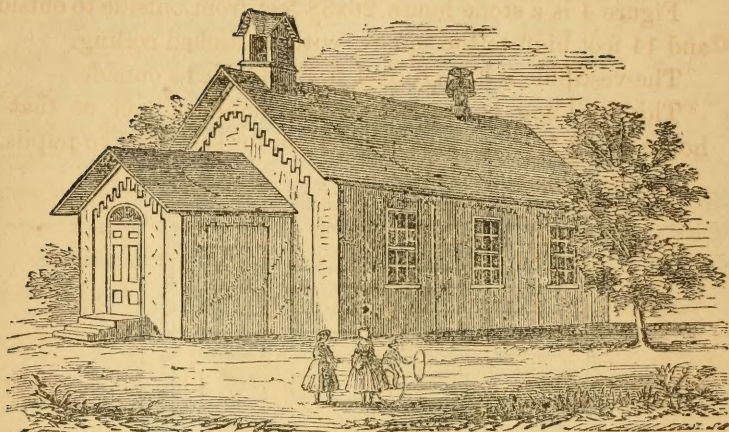
School House No. 2.

House No. 2 is a frame house, 24×36 feet from outside to outside, 14 feet high to the square, with an arched ceiling.



Plan of House No. 2.

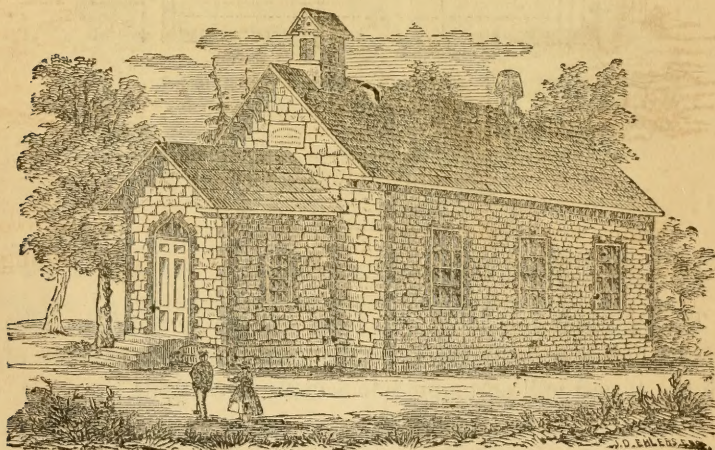
The vestibule is $15 \times 8\frac{1}{4}$ feet from outside to outside. The whole building is finished in the same manner as that of Figure 1, and will accommodate seventy-five pupils.



School House No. 3.

Figure 2 is a brick house, $24\frac{1}{2} \times 37$ feet from outside to outside, and 14 feet high to the square, with an arched ceiling. The vestibule is $15\frac{1}{2} \times 9$ feet.

The provision for ventilation and the interior arrangements, are the same as that of figure 2, and the room will accommodate seventy-five pupils.

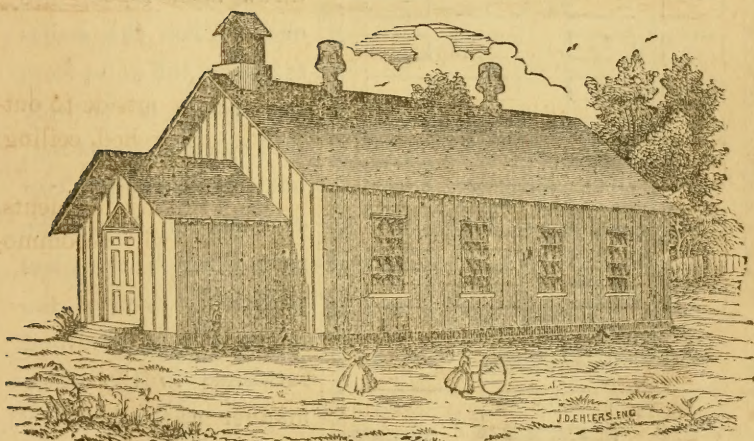


School House No. 4.

Figure 4 is a stone house, 26x38 feet from outside to outside, and 14 feet high to the square, with an arched ceiling.

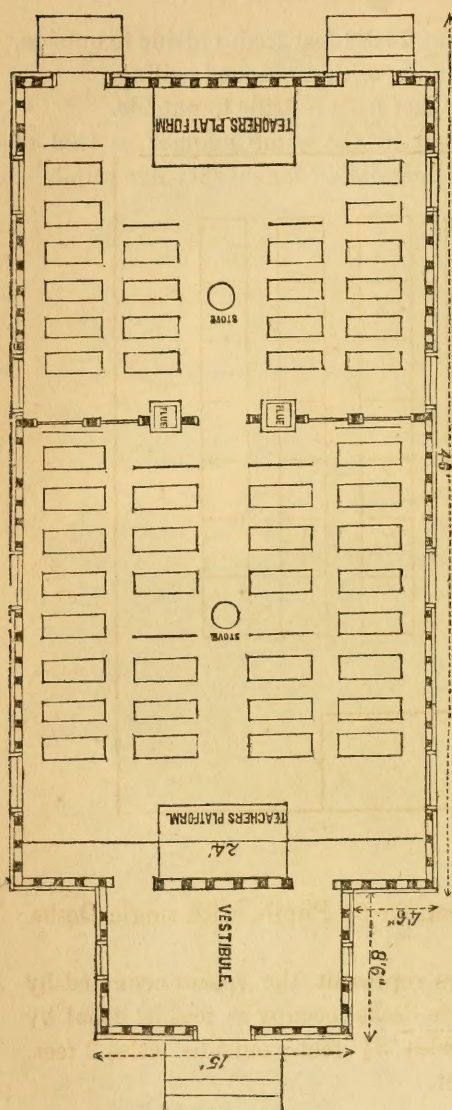
The vestibule is $16\frac{1}{2}$ x10 feet from outside to outside.

This building is finished in the same manner as that of house No. 3, and has oaccommodation for seventy-five pupils.



School House No. 5.

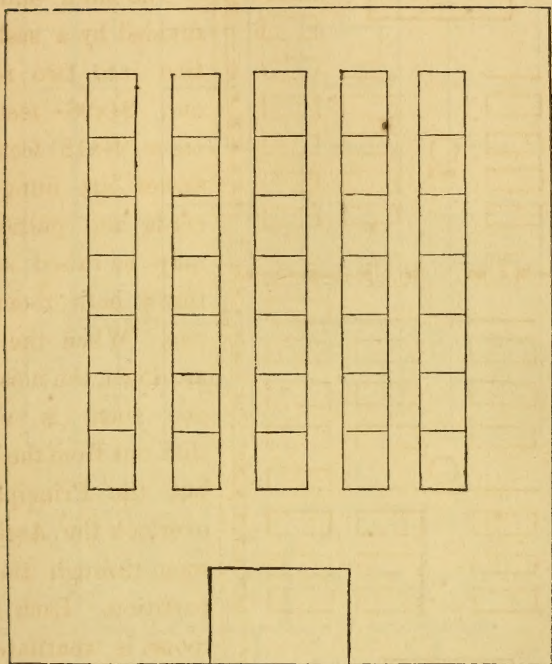
Figure 5 is a frame house, $24\frac{1}{2}$ x46 feet from outside to outside, and 14 feet high to the square, with an arched ceiling.



The vestibule is 15x 8½ feet from outside to outside.

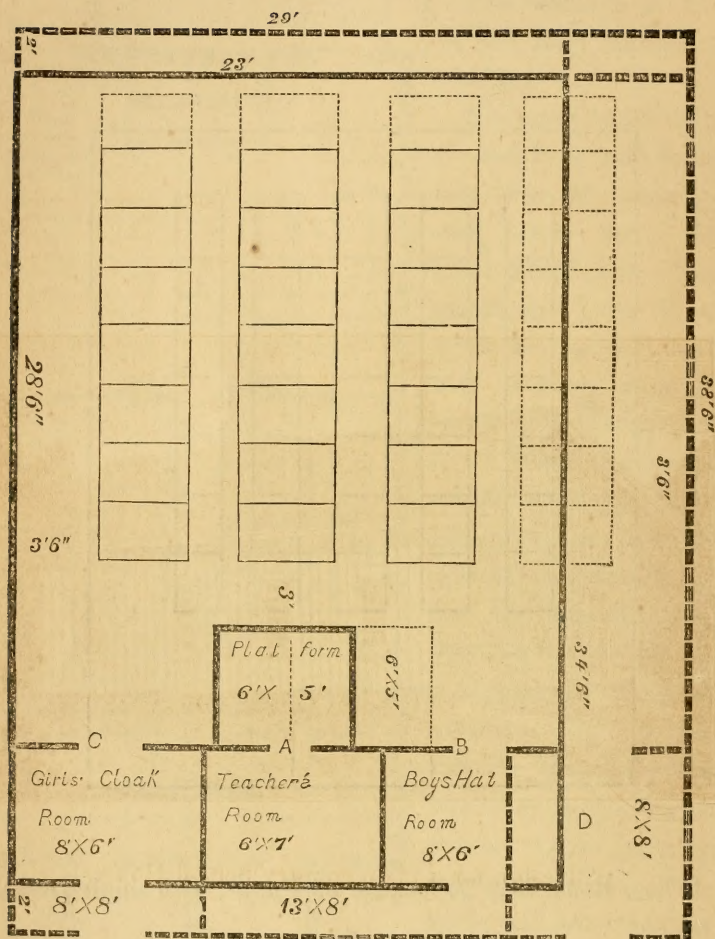
The main building is divided by a sash partition into two rooms—one 24x28 feet; the other 24x18 feet. The sashes are hung upon cords and pulleys, and may be raised so as to throw both rooms into one. When the sashes are down, the noise from one room is entirely shut out from the other; but the Principal can overlook the Assistant's room through the glass partition. Each of the rooms is ventilated and furnished in the same manner as the building before described. This house will accommodate one hundred pupils.

Plan of House No. 5.



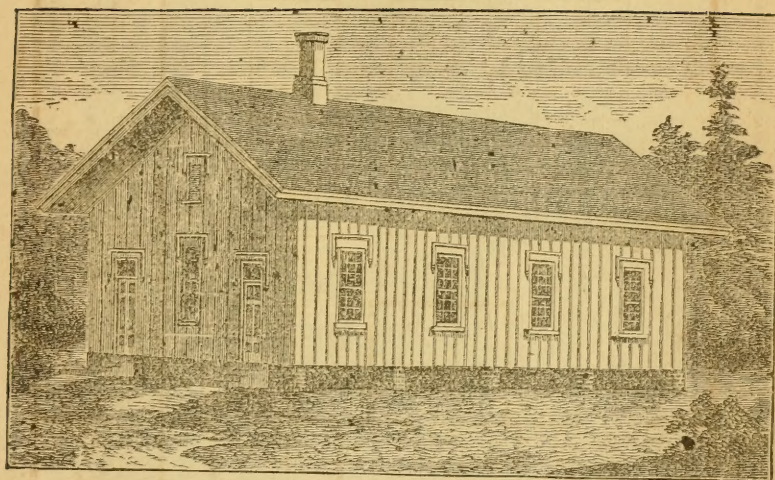
School Room $28\frac{1}{2} \times 23$ feet, for 35 Pupils, with single Desks.

The division in the rows represent the spaces occupied by the desks and seats. Single desks occupy 2 feet in front by $2\frac{1}{2}$ in the row; inside aisles $3\frac{1}{4}$ feet; outside aisles 3 feet. Teacher's platform 5×6 feet.

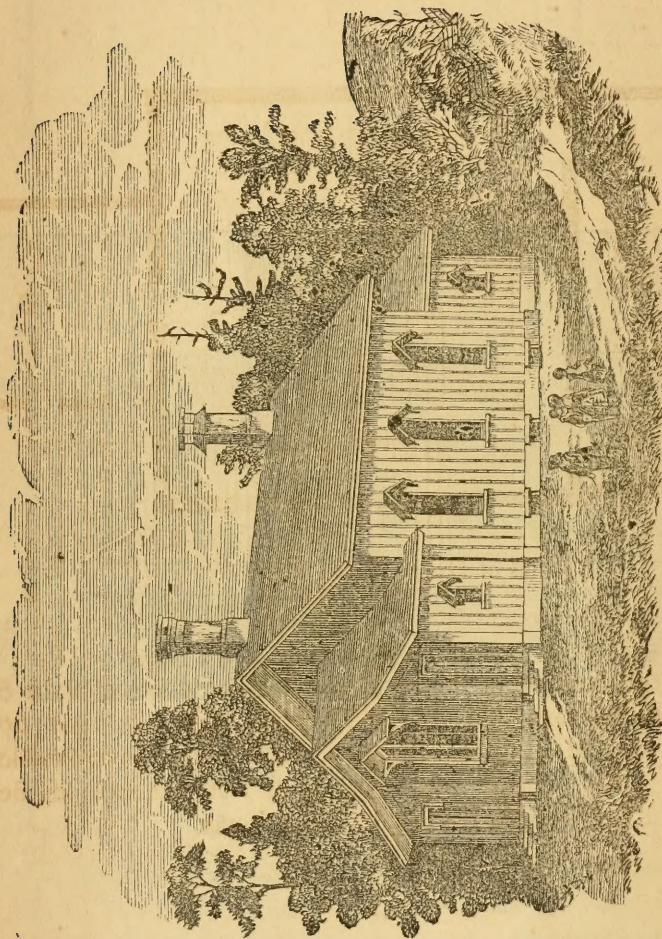


A diagram showing the arrangement of School Rooms for 42, 48, 46 and 64 pupils, with double desks. Also, the size and position of the Teacher's room and ante rooms adjoining.

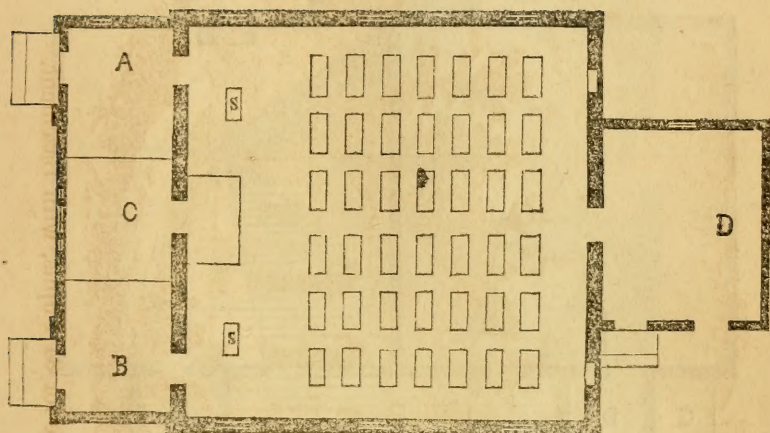
Full sized double desks occupy a floor space equal to 4 feet in front by $2\frac{1}{2}$ feet in rear. The side aisles $3\frac{1}{2}$ feet wide; inside aisles 2 feet; rear aisle 3 feet; teacher's platform 5 feet. The size of the teacher's room and ante rooms are shown in the engraving.



Design for a plain country School House.

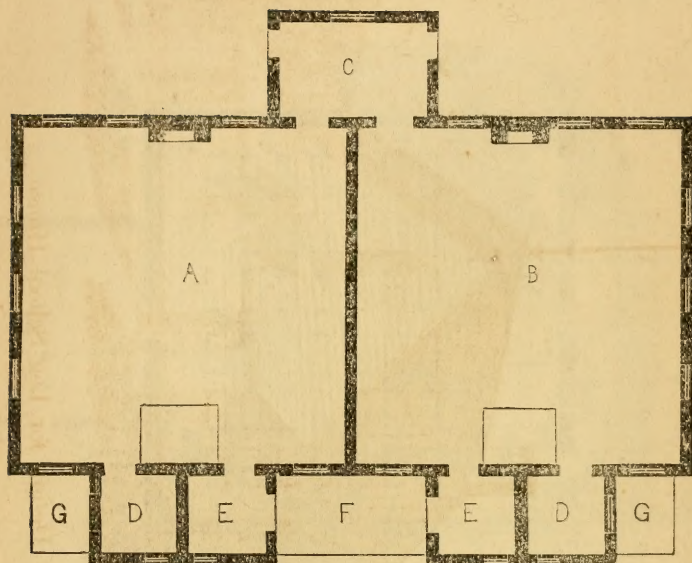


Design for School House for 84 Pupils, with Basement.



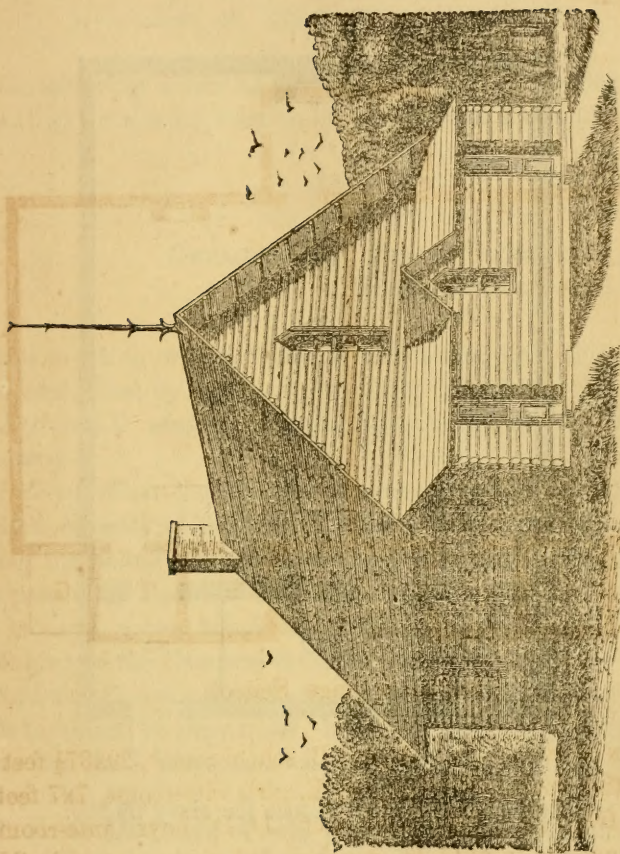
Plan of House for 84 Pupils.

School room, 38 by 36 feet ; A and B, ante-rooms, 9 by 8 feet ; C, teacher's room, 12 by 8 feet ; D, recitation room, 20 by 16 feet ; H H, desks, (No. 4,) 3 feet 6 inches long ; outside aisles, 3 feet 6 inches ; center aisle, 2 feet 4 inches ; inside aisles, 1 foot 8 inches ; S S, position of stoves.



Plan for Village School.

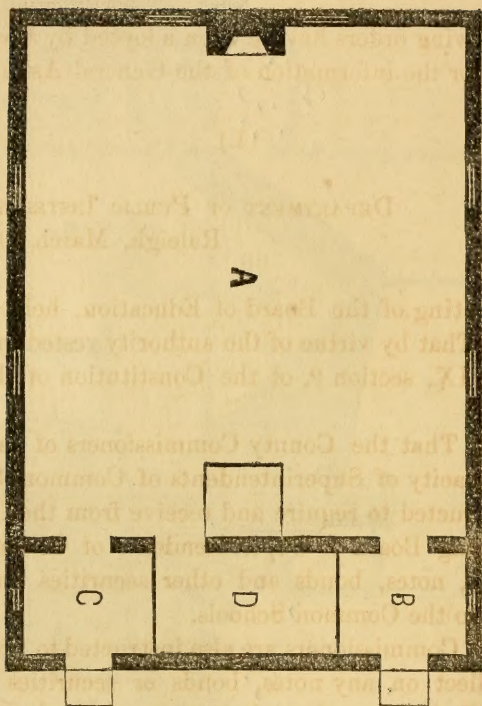
EXPLANATION OF CUT.—A, and B, school rooms, $29 \times 37\frac{1}{2}$ feet ; C, recitation room, 13×8 feet ; E, E, girls ante-rooms, 7×7 feet, opening from F, porch, 13×8 feet ; D, D, boys' ante-room, 7×7 feet opening from G, G, porches, 7×5 feet ; size of building on ground, $56 \times 37\frac{1}{2}$ feet.



Design for Log School House.

The main building is 34x30 feet, with a lean to of 8 feet subdivided into a teacher's room and ante-rooms; with a pitch of 17 feet; projection of eaves 3 feet; height of ceiling 13 feet. The logs should be 10 to 12 inches in diameter.

On such a house not over two hundred dollars in money need be expended to accommodate fifty to sixty-four pupils.



Plan of Log School House for sixty pupils.

DESCRIPTION OF PLAN.—A, School room, 32x28 feet. B, Boys' ante-room, 8x7 feet. C, Girls' ante-room, 8x7 feet. D, Teacher's ante-room, 11x7 feet.

Size of desk to be used No. 3. Side aisles, $3\frac{1}{2}$ feet. Centre aisle, $2\frac{1}{8}$ feet. Rear isle, 4 feet.

Outside measurement, 34x30 feet.

X.—ORDERS OF THE BOARD OF EDUCATION.

The following orders having been adopted by the Board are submitted for the information of the General Assembly :

(1.)

DEPARTMENT OF PUBLIC INSTRUCTION,
Raleigh, March 10th, 1869.

At a meeting of the Board of Education, held this day, it was *voted*, That by virtue of the authority vested in this Board by Article IX, section 9, of the Constitution of the State, it is hereby

Ordered, That the County Commissioners of each County, in their capacity of Superintendents of Common Schools, are hereby instructed to require and receive from the Chairman of any preceding Board of Superintendents of Common Schools all moneys, notes, bonds and other securities and property belonging to the Common Schools.

And said Commissioners are also instructed to proceed forthwith to collect on any notes, bonds or securities which may come into their possession whatever may be due and deemed collectible ; also,

That the Chairman of each Board of County Commissioners is instructed to report on or before the first day of May next to the Secretary of this Board an inventory of all school property by them received and held, and also their action with reference to the aforesaid order.

W. W. HOLDEN, *Pres't.*

S. S. ASHLEY, *Sec'y.*

A true copy of the original orders now on file in the office of Superintendent of Public Instruction ,

S. S. ASHLEY,
Secretary Board of Education.

Replies to this circular have been received from nearly all the Counties.

The Commissioners and Treasurers report, with few exceptions, either no funds or no available funds. A few Counties report small amounts of uncurrent bank bills, some the possession of bonds and securities that may yield something after a time. It is the intention of the Board to institute such proceedings as the security of school property may require.

(2.)

OFFICE OF BOARD OF EDUCATION,
Raleigh, July 15th, 1869.

At a meeting of the Board of Education held this day it was voted :

WHEREAS, Article IX, section 4, of the Constitution of the State prescribes that the net proceeds that may accrue to the State from fines, penalties and forfeitures shall constitute a part of the State Public School Fund ; and

Whereas, By section 9 of " An act to provide for a system of public instruction," all moneys belonging or owing to the Public School Fund shall be paid to the Treasurer of the Board of Education ; and

Whereas, By section 5 of the aforesaid act the Public Treasurer is constituted Treasurer of the Board of Education : it is hereby

Ordered, That Clerks of Courts and all other persons to whom there have been paid or entrusted any moneys arising from fines, penalties and forfeitures which may belong to the State, are hereby instructed and directed to forward forthwith such aforesaid sums of money to Hon. D. A. Jenkins, Public Treasurer : also,

That the aforesaid Clerks and other persons are further instructed and directed to pay over to the said Public Treasurer, within ten days from the first day of January, April,

July and October of each year, all moneys on account of fines, penalties and forfeitures which may be in their possession ; also,

That the aforesaid payments shall be made in such manner as the Public Treasurer shall direct.

W. W. HOLDEN, *President.*

S. S. ASHLEY, *Secretary.*

TREASURY DEPARTMENT,
Raleigh, N. C., July 22, 1869.

Clerks of Courts and all other persons who may have received moneys arising from fines, penalties and forfeitures, belonging to the State, are hereby directed to forward the same to me immediately by Express, Registered Letter or Postoffice Order. All such moneys which may hereafter be received by the aforesaid officers, will be forwarded to me in the same manner, within ten days from the first day of January, April, July and October of each year.

All officers whose duty it is to receive such moneys, will be held to strict accountability for the same.

Very respectfully,

D. A. JENKINS,

Treasurer Board of Education.

N. B.—The above order is directed to all Justices of the Peace as well as Clerks of Courts.

(3.)

STATE OF NORTH CAROLINA,

OFFICE BOARD OF EDUCATION,

Raleigh, October 7th, 1869.

To whom it may concern :

At a meeting of the Board of Education, held this day, it was

Ordered, That County Commissioners, and all other persons having in their possession securities or money of any tenor or date, which were received from the Board of Literature or have accrued from any funds which were distributed by said Board at any time, or which are designed or held for any public school purposes whatsoever, be and hereby are instructed to forward the same, at the earliest opportunity, to Hon. D. A. Jenkins, Treasurer of this Board.

By order :

S. S. ASHLEY, *Secretary*.

NOTE.—The aforesaid order is authorized by the Constitution of the State, Article IX, Section 4.

XI. CONCLUSION.

In submitting this report of the year's transactions, the Board is confident that the establishment of an efficient Public School system is demanded by the people of this State—it is a *necessity*; not only the public voice, but the public good requires it. Without such a system, immigrants will shun the State, and its valuable, intelligent, enterprising citizens will flee from her borders.

The Board is also confident that the establishment of a *respectable* system of public instruction—a system that will give *promise* of meeting the public need, demands a larger appropriation than has yet been made. Three hundred and fifty thousand children to be instructed! Surely the State can afford two dollars per head per year! The State may be poor, but a poor State can, least of all, afford to be ignorant. Poverty without intelligence, becomes degradation, misery, crime; no State can afford such results.

The General Assembly is respectfully solicited to give this subject early and liberal attention.

W. W. HOLDEN, *President*.

S. S. ASHLEY, *Secretary*.

TABLE No. I.

CENSUS, SHOWING THE NUMBER OF PERSONS IN THE STATE OF
NORTH CAROLINA, BETWEEN 6 AND 21 YEARS OF AGE, A. D.
1868.

COUNTIES.	PERSONS BETWEEN 6 AND 21.			SCHOOL HOUSES.		APPORTION- M'T OF PUBLIC SCH'L MONEY.	REMARKS.
	White.	Color'd.	Total.	No.	CONDIT'N		
Alamance,	2,764	1,292	4,056	49		2,028 00	
Alexander,	2,044	275	2,319	45		1,159 50	
Alleghany,	1,474	117	1,591			795 50	
Anson,	2,292	1,866	4,158	20		2,079 00	
Ashe,	3,578	253	3,831	50	Bad.	1,915 50	
Beaufort,	2,756	1,183	3,939	34	Poor.	1,969 50	
Bertie,	1,868	1,840	3,708	27	Good.	1,854 00	
Bladen,	2,067	1,869	3,936			1,968 00	
Brunswick,	1,477	979	2,456			1,228 00	
Buncombe,	3,623	385	4,008	26	Bad.	2,004 00	
Burke,	2,732	784	3,516			1,758 00	
Cabarrus,	2,933	1,165	4,098	36		2,049 00	
Caldwell,	2,459	442	2,901	31		1,450 50	
Camden,	979	580	1,559	13		779 50	
Carteret,	2,432	1,004	3,436	2		1,718 00	
Caswell,	1,986	2,317	4,303	30	Good.	2,151 50	
Catawba,	3,621	565	4,186			2,093 00	
Chatham,	4,414	2,264	6,678	65	Poor.	3,339 00	
Cherokee,	2,782	120	2,902	14		1,451 00	
Chowan,	1,177	1,003	2,180	8	Poor.	1,090 00	
Clay,	770	60	830			415 00	
Cleveland,	4,045	538	4,583	50		2,291 50	
Columbus,	2,297	1,098	3,395	10		1,697 50	
Craven,	2,492	3,237	5,729	12	Good.	2,864 50	
Cumberland,	3,241	2,591	5,832	19		2,916 00	
Currituck,	1,617	484	2,101	24	Poor,	1,050 50	
Davidson,	5,001	1,425	6,426	61		3,213 00	
Davie,	2,306	1,068	3,374	22		1,687 00	
Duplin,	2,381	1,804	4,185			2,092 50	
Edgecombe,							Failed to
Forsyth,	3,687	816	4,503			2,251 50	report.
Franklin,	2,479	2,926	5,405	7		2,702 50	
Gaston,	2,332	1,262	3,594	35	Poor.	1,797 00	
Gates,	1,548	983	2,531	10	Poor.	1,265 50	
Granville,	3,791	4,363	8,154	16	Poor.	4,077 00	
Greene,	1,333	899	2,232			1,116 00	
Guilford,	3,076	1,803	4,879	68		3,439 50	
Halifax,	946	3,139	4,085			2,042 50	
Harnett,	2,065	1,028	3,093	15		1,546 50	

TABLE I.—(Continued.)

COUNTIES.	PERSONS BETWEEN 6 AND 21.			SCHOOL HOUSES.		APPORTION- M'T OF PUBLIC SCH. MONEY.	REMARKS.
	White.	Color'd.	Total.	No.	COND'T'N.		
Haywood,	2,638	212	2,850	34	Poor.	1,425 00	
Henderson,	2,414	377	2,791	17		1,395 50	
Hertford,	1,288	1,362	2,550	17		1,275 00	
Hyde,	2,476	1,193	3,669	22	Poor.	1,834 50	
Iredell,	3,931	1,083	5,014	65		2,507 00	
Jackson,	2,136	90	2,226	14		1,113 00	
Johnston,	3,819	1,187	5,006	37	Fair.	2,503 00	
Jones,	580	812	1,392			696 00	
Lenoir,	1,756	1,704	3,460	12		1,730 00	
Lincoln,	2,403	920	3,323	13	Poor.	1,661 50	
Macon,	2,389	124	2,513	30		1,256 50	
Madison,	2,550	89	2,639	14		1,319 50	
Martin,	1,790	1,041	2,931	17	Poor.	1,465 50	
McDowell,	1,900	405	2,305	2		1,152 50	
Meck'burg,	3,640	2,394	6,034	22		3,017 00	
Mitchell,	1,790	74	1,864	9		932 00	
Montg'mery,	1,781	587	2,368			1,184 00	
Moore,	2,103	676	2,779	33		1,389 50	
Nash,	2,332	1,423	3,755	19	Poor.	1,877 50	
N. Hanover,	3,515	4,020	7,535	41		3,767 50	
North'mpt'n,	1,828	1,469	3,297	13		1,648 50	
Onslow,							Failed to report.
Orange,	2,667	2,235	5,902	43	Poor.	2,951 00	
Pasquotank,	1,343	1,367	2,710	6	"	1,355 00	
Perquimans,	1,333	1,360	2,693	10	"	1,346 50	
Person,	1,812	1,499	3,311	14	"	1,655 50	
Pitt,	2,837	2,614	5,451	31	"	2,725 50	
Polk,	1,276	293	1,569	17		784 50	
Randolph,	5,226	978	6,204	66		3,102 00	
Richmond,	1,533	1,777	3,310			1,655 00	
Robeson,	4,424	2,068	6,492	54	Good.	3,246 00	
Rockingham,	3,103	1,641	4,744			2,372 00	
Rowan,	3,726	1,273	4,999	43	Poor.	2,499 50	
Rutherford,	3,694	827	4,521	47		2,260 50	
Sampson,	2,775	2,119	5,894	56	Poor.	2,947 00	
Stanly,	2,877	465	3,342	19		1,671 00	
Stokes,	2,906	854	3,760	37	Good.	1,880 00	
Surry,	3,419	546	3,965	27		1,982 50	
Trans'lvania,	1,190	144	1,334	9		667 00	
Tyrrell,	966	296	1,262	7		631 00	
Union,	3,123	775	3,898	34	Poor.	1,949 00	
Wake,	5,831	4,094	9,925	58	Poor.	4,962 50	
Warren,	1,360	2,674	4,034	18	Good.	2,017 00	
Washington,	1,266	831	2,097	17	Poor.	1,048 50	
Watauga,	2,094	65	2,159	8		1,079 50	

TABLE I.—(Continued.)

COUNTIES.	PERSONS BETWEEN 6 AND 21.			SCHOOL HOUSES.		APPORTION- M'T OF PUBLIC SCH. MONEY.	REMARKS.
	White.	Color'd.	Total.	No.	COND'T'N.		
Wayne,	3,295	2,159	5,454	21		2,727 00	
Wilkes,	5,451	726	6,177			3,088 50	
Wilson,	2,054	1,234	3,288	16		1,644 00	
Yadkin,	3,280	609	3,889			1,944 50	
Yancey,	2,030	74	2,104	7	Good.	1,052 00	
	223,815	106,766	330,581	1,906		165,290 50	

TABLE No. II.

CAPITATION ASSESSMENT BY COUNTIES FOR 1869.

COUNTIES.	NO. OF POLLS.	AM'T PER CAPITA.	AMOUNT AS- SESSED.	REMARKS.
Alamance,	1,558	\$ 2	\$ 3,116	
Alexander,	684	2	1,368	
Alleghany,	388		775	10
Anson,	1,322	2	2,644	
Ashe,	1,111	2	2,222	
Beaufort,	1,760	2	3,520	
Bertie,	1,088	1 95	2,121	60
Bladen,	1,717	2	3,434	
Brunswick,				No report.
Buncombe,	1,788	2	3,576	
Burke,	966	2	1,932	
Cabarrus,	1,644	2	3,288	
Caldwell,	789	1 95	1,538	55
Camden,	910	2	1,820	
Carteret,	1,135	2	2,270	
Caswell,	2,161	2	4,322	
Catawba,	1,218	1 95	2,375	10
Chatham,	2,508	2	5,016	
Cherokee,	809	2	1,618	
Chowan,	734	2	1,468	
Clay,	341	2	682	
Cleaveland,	1,292	2	2,584	
Columbus,	1,249	2	2,498	
Craven,	1,987		5,334	
Cumberland,	1,905	2	3,810	
Currituck,				No report.
Davidson,	2,100	2	4,200	
Davie,	1,200	2	2,400	
Duplin,	1,647	2	2,294	
Edgecombe,				No report.
Forsythe,	1,561	1 80	1,809	80
Franklin,	1,921	2	3,842	

TABLE No. II.—(Continued.)

COUNTIES.	NO. OF POLLS.	AM'T. PER CAPITA.	AMOUNT AS- SESSED.	REMARKS.
Gaston,	1,125	\$ 1 95	\$ 2,193 75	No report.
Gates,	888	2	1,776	
Granville,	3,118	2	6,236	
Greene,				
Guilford,	2,670	1 50	4,005	
Halifax,	2,904	2	5,808	No report.
Harnett,	1,040	2	10,030	
Haywood,	872	2	1,744	
Henderson,	885	2	1,770	
Hertford,				
Hyde,	1,137	2	2,274	No report.
Iredell,	1,926	2	3,852	
Jackson,	718	2	1,436	
Johnston,	2,160	2	4,320	
Jones,				
Lenoir,	1,342	2	2,684	No report.
Lincoln,	981	2	1,962	
Macon,	839	2	1,678	
Madison,	760	2	1,520	
Martin,	1,207	2	2,414	
McDowell,	810	2	1,620	No report.
Mecklenburg,	2,517	2	4,034	
Mitchell,	525	1 65	866 25	
Montgomery,				
Moore,				
Nash,	1,502	2	3,004	No report.
New Hanover,	3,100	2	6,200	
Northampton,	2,097	2	4,194	
Onslow,	1,096	2	2,192	
Orange,				
Pasquotank,	1,248	2	2,496	No report.
Perquimans,	988	2	1,976	
Person,	1,593	2	2,186	
Pitt,	2,139	2	4,278	

TABLE No. II.—(Continued.)

COUNTIES.	NO. OF POLLS.	AM'T. PER CAPITA.	AMOUNT AS- SESSED.	REMARKS.
Polk,	319	\$ 2	\$ 638	No report.
Randolph,	2,134	2	4,268	
Richmond,	1,264	2	2,528	
Robeson,				
Rockingham,	1,849	2	3,698	
Rowan,	2,145	2	4,290	
Rutherford,	1,455	2	2,910	
Sampson,	2,024	2	4,048	
Stanley,	956	2	1,912	
Stokes,				No report.
Surry,	1,338	1 95	2,609 10	
Transylvania,	465	2	930	
Tyrrell,	701	2	1,402	
Union,	1,465	2	2,930	
Wake,	3,762	2	7,524	
Warren,	2,188	2	4,376	
Washington,	874	2	1,748	
Watauga,	643	2	1,286	
Wayne,	2,156	2	4,312	No report.
Wilkes,				
Wilson,	1,423	2	2,846	
Yadkin,	1,193	2	2,386	
Yancey,	628	2	1,256	
	109,472		\$ 224,524 25	

TABLE No. III.

COUNTY EXAMINERS.

COUNTIES.	NAMES.	POST OFFICE ADDRESS
Alamance,	George F. Bason,	Graham.
Alexander,	J. T. Deanes,	Taylorsville.
Alleghany,	Rev. A. B. Phipps,	Gap Civil.
Arson,		
Ashe,		
Beaufort,	James F. Latham,	Pantego P. O.
Bertie,	Rev. A. M. Craig,	Windsor.
Bladen,	Dr. W. A. Bizzell,	
Brunswick,		
Buncombe,	Albert H. Dowell, Jr.,	Asheville,
Burke,	W. S. Pearson,	Morganton.
Cabarrus,		
Caldwell,	Rev. Geo. H. Round,	Lenoir. ✕
Camden,	Thomas B. Boushall,	Camden C. H.
Carteret,	Dr. Edgar L. Perkins,	Newport.
Caswell,	Samuel L. Venable,	Yanceyville.
Catawba,	Marcus E. Lowrance,	Newton.
Chatham,	Isham Cox,	Mud Lick.
Cherokee,	William Beal,	Murphy.
Chowan,	Jeptha A. Ward,	Edenton.
Clay,	A. B. Alexander, A. M.	Haysville.
Cleaveland,	Dr. L. A. Durham,	Shelby.
Columbus,	A. J. Burtner,	
Craven,	Robert F. Lehman,	Newbern.
Cumberland,	John X. Smith,	Fayetteville.
Currituck,		
Davidson,	Rev. J. W. Cecil,	Thomasville.
Davie,	Samuel O. Tatum,	Farmington.
Duplin,	W. E. Hill,	Faison's Depot.
Edgecombe,		
Forsythe,	John H. White, Jr.,	Walkerton.
Franklin,	Charles M. Cooke,	Louisburg.
Gaston,	Eli Pasour,	Dallas.
Gates,	Mills L. Eure,	Gatesville.
Granville,	James B. Floyd,	Wilton.

TABLE No. III.—(Continued.)

COUNTIES.	NAMES.	POST OFFICE ADDRESS.
Greene,	Dr. Nereus Mendenhall,	Westminister.
Guilford,	George B. Curtis,	Enfield.
Halifax,	David McNeil,	Lillington.
Harnett,	John M. McIver,	Waynesville.
Haywood,	W. G. B. Morris,	Hendersonville.
Henderson,		
Hertford,	Joseph M. Watson,	Swan Quarter.
Hyde,	Prof. J. H. Hill,	Statesville.
Iredell.	E. R. Hampton,	Webster.
Jackson,	L. Eldridge,	Smithfield.
Johnston,		
Jones,	John D. Shaw,	Lincolnton.
Lenoir,	T. S. Siler,	
Lincoln,		
Macon,	Rev. John S. Short,	Williamston.
Madison,	William F. Craige,	Marion.
Martin,	A. H. Martin,	Charlotte.
McDowell,	J. W. Bowman,	
Mecklenburg,	Samuel I. Pemberton,	Troy.
Mitchell,	A. R. McDonald,	Carthage.
Montgomery,	Maj. Josiah P. Jenkins,	Nashville.
Moore,	Gen. Allan Rutherford,	Wilmington.
Nash,	Samuel N. Buxton,	Jackson.
New Hanover,	James G. Scott,	Onslow C. H.,
Northampton,	Samuel H. Hughes,	Hillsboro',
Onslow,	Frank Vaughan,	Elizabeth City.
Orange,	Dr. Josiah T. Smith,	Hertford.
Pasquotank,	Dr. J. T. Fuller,	
Perquimans,		
Person,	J. H. Allen,	Columbus.
Pitt,	Franklin P. Blair,	Bush Hill.
Polk,	L. C. Morton,	Rockingham.
Randolph.	Rev. Neill Ray,	Lumberton.
Richmond,		
Robeson,	John P. Martin,	Salisbury.
Rockingham,	W. W. Wallace,	Rutherfordton.
Rowan,		
Rutherford,		

TABLE No. III.—(Continued.)

COUNTIES.	NAMES.	POST OFFICE ADDRESS.
Sampson,	Rev. B. F. Marable,	Clinton.
Stanly,	E. Hurley,	Albemarle.
Stokes,	Haywood Venable,	
Surry,	Lacy J. Norman,	
Transylvania,	Rev. G. W. Brooks,	Dunn's Rock.
Tyrrell,	P. H. Wilkins,	Columbus.
Union,		
Wake,	E. B. Thomas,	Raleigh.
Warren,	John E. Dugger,	Warrenton.
Washington,	Lewis C. Latham,	Plymouth.
Watauga,	William F. Shull,	Valley Crucis.
Wayne,	John Robinson,	Goldsboro'.
Wilkes,	Dr. Thomas W. Smith,	Trap's Hill.
Wilson,	Joseph H. Foy,	Wilson.
Yadkin,	Moses Baldwin,	East Bend.
Yancey,	Thomas W. Ray,	

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

REPORT OF ATTORNEY GENERAL.

STATE OF NORTH CAROLINA,
OFFICE OF ATTORNEY GENERAL,
Raleigh, November 1st, 1869.

TO HIS EXCELLENCY, W. W. HOLDEN,
Governor of North Carolina:

SIR:—I have the honor to submit the following report of the duties performed in this office since accepting the same as tendered by your Excellency, beginning on the 1st of June, upon the resignation of Hon. W. M. Coleman, my predecessor.

On the 5th day of June I was notified by your Excellency to appear for the State in the mandamus case of the University Rail Road Company against the Governor and Treasurer for not issuing its bonds. The cause was prepared, taken up and decided by the Supreme Court as seen in the reports.

I would here state that this decision presents the question of costs in a somewhat new light. The Company gave no prosecution bond, while the defendants, representing the State, were excused therefrom in the appeal. The execution issued by the Supreme Court for costs is fruitless against the plaintiffs as the Company was pronounced a myth, and the duties of the officers

remain without pay. As such cases must be rare, and the costs too much to be borne by the officers, I would suggest that they in this instance be paid by the State upon the bill being duly filed with the Auditor for formal recommendation to the Treasurer.

An injunction on the relation of the Attorney General stands docketed in the Supreme Court against the Superintendent of Public Works for certain restraints in connection with an assumed authority over the State's interest in the Central Rail Road and as grounded on the act defining the duties of State officers, which suit will be determined at next term of the Court.

A suit by Moses A. Bledsoe against the State for supplying the Insane Asylum with certain articles during the war was taken on appeal to the Supreme Court by Mr. Coleman, and decided at last term.

A suit was instituted by, or on the relation of the former Attorney General for ousting certain banned officers in Caswell County, and renewed since I have been in office, but has not yet been fully determined owing to the decision of the Supreme Court in the case of M'Adoo against Benbow.

Other suits of this kind have been considered by parties therein interested and permission granted to bring them, but as yet they have failed to mature owing to lack of security for prosecution or other causes unknown.

Regarding other duties belonging to this office, almost daily reference is made for opinions respecting the law, which under the new order of things, with as yet, much incomplete legislation, causes unusual labor at investigation, with the risk of erring in some of these decisions. But as yet, no intimation of mistake has been received, and I trust my sincere and earnest effort at duty herein, will continue to be well entertained by all concerned.

Among these decisions may be named as of more general interest.

1st. Opinion in the matter of construing the act of April

12th, 1869, touching the "Powers and Duties of State Officers."

2d. Construing the charter of the North Carolina Central Rail Road in connection with the above act.

3d. Construing the militia law for the Adjutant General of the State.

4th. Construing act of April 12th, 1869, as to allowing a certain claim against the Treasury and rejecting the same; but with a recommendation to the Assembly for suitable relief. The case was that of Mr. George O. Spooner, Clerk of the Superintendent of Public Works.

5th. Construing act of 1850-51, chapter 92, section 3, of the Revised Code as to a claim of the State Geologist, and against it.

6th. Construing act of April 12th, 1869, in reference to the claim of the Secretary of State for books furnished Clerks of the Superior Courts, allowing the same.

7th. Construing the constitution in reference to the demands of the Literary Board (at the instance of the Superintendent of Public Instruction) against the Trustees of different Counties.

8th. Opinion in the matter of claim by C. H. Wiley, former Superintendent of Common Schools, rejecting the same.

9th. In the matter of recording State mortgages.

10th. In the matter of stamping mortgages made to the State by Rail Road Companies.

11th. In the matter of the charter of the Town of Trinity.

12th. The same as to Morehead City.

13th. The same as to the City of Wilmington in view of the township act and free schools.

14th. Construing the Revised Code, chapter 104, as to the duty of the Secretary of State in supplying stationery, with over a hundred other opinions recorded, embracing a great variety of subjects, with numerous enquiries on each, and considered of much importance by the officials of the State.

The substitution of Superior for County Courts, with its

displacement of County Attorneys, always consulted respecting the duty of County Commissioners and other functionaries, with the disposition now to refer to the Attorney General as the law officer of the State, and a common adviser, alone furnishes business enough for the office. It may be a great saving to the Counties, and work as a good system ; but in fixing the salary of this office, it is a matter to be considered for its additional labor.

Indeed, let me add as bearing on this subject, that inasmuch as the fees supposed to be collected from the State docket of the Supreme Court, average only about \$100 per annum, and in view of the opinion of leading members of the bar without distinction of party, that the office of Attorney General (and even of the Solicitors,) should be a salaried one simply, the Assembly will do well to take both statements together, and whenever the law is altered, do it wisely and permanently.

Reviewing the laws so constantly, owing, as said, to the daily queries thereon, it is deemed a duty to call attention to oversights or deficiencies existing through legislation necessarily rapid, with the request that they, with all others arising from the search of parties interested in discovering what is lacking to a perfect set of laws, may receive from the approaching Assembly, such attention as to it shall seem proper.

1st. That the Clerk, as *ex officio* Treasurer of the township Board, shall give bond, the amount to be judged of by the Board.

2d. It is suggested that it be made a law, that, on failure to elect officers of townships, because the highest in vote is ineligible, if he shall on that account decline to qualify, or be not qualified for any reason, that the next highest be declared duly elected, and no vacancy created.

3d. In cases of election of School Committees of townships, let it be declared more fully who shall fill the vacancy.

4th. Should not Clerks of Courts, Register of Deeds, &c., renew their bonds annually ?

5th. An amended act in regard to township highways, where

difficult to keep in repair with the usual force subject to road duty by tax rather than let such highways go down.

6th. An act more particularly defining the duty, or authority of County Commissioners in rejecting banned persons elected, on their application for qualifying, such a body not being a *tribunal*, and incapable of deciding law and fact. (See Act of July 21st, 1868, sec. 8.)

7th. Amendment of the 5th and 6th sections of the North-western North Carolina Rail Road charter.

8th. Amendment of the act concerning open charters, (12th April, 1869, chapter 280, section 1,) enlarging its proviso so as to require fewer special acts of incorporation.

9th. Suggested by landlords, that the act of landlord and tenant be altered so as to give a lien on household goods in case of holding over, it being said that both landlord and tenant would be benefitted thereby, the present losses by the former, through illegal occupancy, and the expense of ousting, even under present laws, rendering tenement houses almost useless property, while the change desired would justify the erection of numberless dwellings at low rates for the poor, of far better quality than are now occupied. The conflict between constitutional provisions and such law, if arising to the prejudice of the latter, is worthy of investigation, as both aim at the like good to this class of population.

10th. Amendment needed of the act of April 12th, 1869, section 3d, concerning sales of real estate, so as to state more correctly the days intended.

11th. That inasmuch as the act passed for the registration of deeds on or before the 1st day of October last, has been differently interpreted by both lawyers and people, and many such writings remain unrecorded, it becomes important to amend by explaining the intention more fully, or reasonably extending the time. An act closing all redress to parties unable to construe a law correctly, from its dubiousness, renders an amending act of highest importance.

13th. Legislation is requested by certain townships so divided by line as to make it uncertain where voters belong; that the difficulty be remedied, if practicable, by altering the general registration act for these particular precincts or townships, where elections not foreseen require it.

13th. Amendment of the revenue act in relation to Insurance Companies, as follows, is requested;

First. To require foreign Companies of Life and Fire Insurance to deposit with the Public Treasurer of the State bonds of the State to the amount of \$25,000 par value, such to be owned by them in their own right as certified on oath before the State Auditor, the same to be then held by the State as security for the better and more faithful performance of duty. And when any part of this sum shall become liable for any default towards the insured, or otherwise, the deficiency to be made good by new, and similar deposit.

Second. To make on oath quarterly returns of all business done in the State, giving therein the name of the insured; number of policy; nature of the same; and the amount of premium, to be kept in a book of record by the Auditor, to be used in showing the business transactions of all companies, and to verify all tax payments. And also that they be required to furnish the Auditor annual statements taken from the returns at the principal foreign office, which shall be under seal, and showing the condition of assets truly, and plainly.

Third. To register a copy of the license obtained for doing business in any County from the Sheriff, with the Register of Deeds, paying to the Sheriff five dollars for the same; the certificate of such record to be forwarded to the State Auditor by the Register, or called for by the agent in time for each quarter's return, if entered within twenty days of the time, otherwise returnable for the next quarter.

Fourth. The amount above named so paid by the agent of the Company shall be accounted for by the Sheriff to the County Treasurer, which is to be all due the County from insurance tax from any one Company for the year.

Fifth. That Home Companies be required to make the same return to the Auditor as the others, and also the like record with the Register of Deeds, with like amount for license.

Sixth. That foreign Companies pay as in schedule for Express and Telegraph Companies' quarterly, and on oath, with the proper certificate of the Auditor of the State presented at the office of the Treasurer—the tax being two per cent. on premiums, and no more, to the State; or, if no deposit be made, then a tax of three per cent., as now.

Seventh. That on final settlement with the State Treasurer when closing business, all liabilities of Companies shall be made good to State, or citizens, to the extent of this lien on their bonds.

Eighth. Home Companies shall forfeit their privileges by not making true returns, as required of other Companies.

Ninth. That no Company shall do business in the State unless it shall have a principal Agent, whose office shall be located within the same.

Tenth. If any Company shall evade this law by doing business within the State whilst having their office or agency located without its limits, such Agent shall be guilty of a misdemeanor, and punishable on conviction.

The above plan with such alterations as to the Assembly may seem meet, is desired and suggested even by Foreign Companies themselves, and which it is conceived would act beneficially to all. By comparing these rules with those of other States, they are, it is alleged, by no means burdensome.

The present law is considered indefinite and insufficient, and for greater convenience both to State officers and the Agents of the Companies, an arrangement like this presented would prove agreeable. It is a worthy institution and should be conducted with due ease and convenience to the Companies withdrawing capital from abroad for our use, yet, at the same time, the State in opening her limits to a profitable enterprise, should see that she receives suitable compensation for the franchise.

Owing to the supposed defect in the act for supplying stationery, it being prospective merely, not operating till 1870, and the act of April 10th, passed two days before, being partial in its provisions, the difficulty was relieved by not ordering the books to be used by the Solicitors of the Judicial Districts, as mentioned in the act, omitting thereby one of their reports, and excusing them for it.

As seen in this report, the necessary supply to the other departments of the State was advised by giving an implied construction to the Revised Code, till the act of April 12th takes effect, thereby filling the blank space left.

I would call your Excellency's attention to the propriety of improving the two Public Squares in the City of Raleigh, now unfenced and otherwise in a neglected condition. The impulse now given to improvement by our citizens residing in the Capitol City, seems to demand a co-operation from the State; and when it is conceded that such improvements would so enhance property adjacent to these squares, and increase taxation as to re-imburse all outlay in a short time, it is hoped that your Excellency will give the subject whatever consideration it deserves, and recommend the improvement for one or both of these pieces of State property, if to you it may appear advisable.

The above includes all my report demands. It is closed with the persuasion that with a patriotic Executive, Legislatures equal to the times, Judges earnest in administering law, a people as instinctively disposed as formerly to peace and virtue, our future will be as the past, and the State perpetually exhibit her high reputation for solid merit.

Respectfully,

L. P. OLDS,
Attorney General.

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

REPORT OF THE SUPERINTENDENT AND PHYSICIAN OF THE INSANE ASYLUM OF NORTH CAROLINA.

*To His Excellency, the Governor and Board of Supervisors,
of the Insane Asylum of North Carolina:*

GENTLEMEN :—In obedience to the requirements of law, I beg leave to submit the Annual Report of the operations of this Institution for the official year ending the 31st of October, 1869. This task is rendered the more agreeable because those operations have been attended by no distressing event, save, and except the disagreeable necessity of declining the admission of the numerous applications from different parts of the State, on account of the Institution being filled to its utmost capacity.

We have abundant cause of gratitude for the Providence which has marked this period in the numerous blessings bestowed by the Giver of all good.

In an especial degree is there cause of thankfulness for the uniform good health which has prevailed over the entire household during the year, with the exception of more or less typhoid fever, which was neither extensive nor fatal.

TABLE FIRST,

SHOWING THE NUMBER OF THE ADMISSIONS AND DISCHARGES,
SINCE THE OPENING OF THE ASYLUM IN 1856, AND OF THOSE
REMAINING AT THE END OF THE YEAR.

Admissions, male and female,	877
Discharges, “ “	652
Remaining, “ “	225

TABLE SECOND,

ADMISSIONS DURING THE YEAR ENDING 31ST OCTOBER, 1869.

	FEMALES.	MALES.	TOTAL.
Patients in the Asylum Nov. 1, 1869,	117	100	217
Received during the year,	11	16	27
Under treatment during the year,	128	116	244
Discharged during the year,	10	9	19
Remaining November 1st, 1869,	118	107	225

TABLE THIRD,

DISCHARGES DURING THE YEAR.

	MALES.	FEMALES.	TOTAL.
Recovered,	3	4	7
Much improved,	2	1	3
Stationary,		2	2
Died,	5	2	7
Total,	10	9	19

TABLE FOURTH,

SHOWING THE MATERIAL CIRCUMSTANCES OF THOSE RECEIVED.

Number.	Age.	Sex.	Civil Condition.	Apparent Form.	Supposed Cause.	DURATION WHEN ADMITTED.			TIME IN ASYLUM.		
						Years.	M'ths.	Days.	Years.	M'ths.	Days.
1	25	Female,	Single,	Melancholy,	Disappointed love,		6			1	21
2	20	Male,	"	Imbecile,	Unknown,				11	12	
3	26	"	Married,	Melancholy,	Religious excitement,	1			9	19	
4	33	Female,	"	"	Unknown,		8		8	29	
5	26	"	"	Mania,	Dysmenorrhœ,		4		8	27	
6	30	"	"	"	Domestic trouble,	3			8	5	
7	24	"	Single,	Imbecility,	Religious excitement,		3		6	20	
8	30	"	"	Epilepsy,	Suppressed menstra'n,	5			7	9	
9	50	"	Married,	Mania,	Domestic trouble,	18			7	1	
10	44	Male,	"	"	Unknown,		3		7	1	
11	30	Female,	Single,	"	Disappointed love,	1			6	16	
12	25	Male,	"	Imbecility,	Masturbation,	2			6	14	
13	30	Female,	Married,	Melancholy,	Domestic trouble,	1	2		6	14	
14	30	Male,	Single,	Imbecility,	Masturbation,	2	6		5	26	
15	39	Female,	Widowed,	Mania,	Domestic affection,		1	14	5	16	
16	40	"	Married,	"	Disordered menstra'n,	1			5	14	
17	72	Male,	"	Melancholy,	Loss of property,		6		1	5	
18	26	"	Single,	Epilepsy,	Injury to head,	12			5	6	
19	25	Female,	Married,	Mania,	Religious excitement,		5		3	16	
20	37	Male,	"	"	Ill health,				3	13	
21	34	Female,	"	"	Unknown,	1	3		2	21	
22	54	Male,	"	"	Loss of property,	1	5			11	
23	40	"	"	Melancholy,	Jealousy,	2			2	18	
24	38	"	Single,	Mania,	Fever,		6		2	17	
25	26	Female,	Married,	"	Unknown,	2			2	8	
26	38	"	"	"	Religious anxiety,				1	2	
27	34	"	"	"	Ill health,		5			16	

TABLE FIFTH,

SHOWING MATERIAL CIRCUMSTANCES OF EACH CASE OF "RECOVERY" DISCHARGED.

Number,	Age.	Sex.	Civil condition.	Apparent Form.	Supposed Cause.	DURATION WHEN ADMITTED.			TIME IN ASYLUM.		
						Years.	M'ths.	Days.	Years.	M'ths.	Days.
1		Male.	Married,	Imbecility,	Unknown,				3	1	23
2		Female.	Single,	Mania,	Disappointed love,	2			1		18
3	28	"	Married,	"	Pregnancy,		1		6	7	
4	25	Male.	Single,	"	Unknown,		1		2	6	7
5	40	Female.	Married,	"	"		1		3	21	
6	21	"	Single,	Melancholy	Ill health,	1			2	11	29
7	56	Male.	Married,	Mania,	Unknown,		4		1	7	8

TABLE SIXTH,

SHOWING MATERIAL CIRCUMSTANCES OF EACH CASE DISCHARGED
MUCH IMPROVED.

Number.	Age.	Sex.	Civil condition.	Apparent Form.	Supposed Cause.	DURATION WHEN ADMITTED			TIME IN ASYLUM.		
						Years.	M'ths.	Days.	Years.	M'ths.	Days.
1	39	Male,	Single,	Mania,	Unknown,				1	5	18
2	45	Female,	Widow,	Melancholy,	Family affliction,		6		1	4	11
3	60	Male,	Married,	Mania,	Fear,		3		1	1	11

TABLE SEVENTH,

SHOWING MATERIAL CIRCUMSTANCES OF EACH CASE OF "STATIONARY" DISCHARGE.

Number.	Age.	Sex.	Civil Condition.	Apparent Form.	Supposed Cause.	DURATION WHEN ADMITTED.			TIME IN ASYLUM.		
						Years.	M'ths.	Days.	Years.	M'ths.	Days.
1	25	Female,	Single,	Melancholy,	Disappointed love.		6			1	21
2	24	"	Married,	Imbecility,	Religious excitement.		3			6	20

This Institution was opened for the reception of patients on the 22d day of February, 1856, since which time there have been *received*, 877 males and females, and *discharged*, including recoveries, improved, unimproved and deaths, 652 males and females. At the date of my last report there were 117 males and 100 females under treatment, which number was quite as large as could be accommodated with proper regard to classification. Admissions were continued however, and all vacancies filled until 11 males and 16 females were received, leaving more than 150 applications on file. Of those discharged 10 were males and 9 females, leaving in the Asylum at this date, 118 males and 107 females. The total number under treatment during the year was 128 males and 116 females. The highest number at any one time was 122 males and 107 females; the lowest was 115 males and 95 females. The daily average was $117\frac{269}{365}$ males and 102 females.

The per centage of recoveries on total number discharged was $36\frac{16}{19}$ and on admissions was $25\frac{25}{27}$. There is reasonable ground of hope that this proportion would have been increased under circumstances less unfavorable than those by which we were surrounded.

The building being quite full for a long time past, and the applications for admission numerous, the only alternative was to place them on file and fill vacancies as they occurred by discharge. Of those received during the year more than half were of a duration varying from one to twelve years, and but very few were acute cases. It is a well ascertained and universally admitted fact that successful treatment of the insane is to a very large degree dependent upon early admissions, and that the ratio of cures is inversely as the duration of disease. In order, therefore, to give much hope of restoration it is essential that the victims of this terrible malady, should be brought as soon as possible after its attack, under hospital treatment.

Our efforts in behalf of the Institution have received evidence of the confidence of the medical profession, of those

specially interested in the welfare of the insane and of the friends of the patients.

These manifestations of kindness are grateful to those engaged in a work attended with so many personal discomforts and which, while of the highest importance and responsibility, is ordinarily so little appreciated.

EXTENT OF INSANITY.

With a view of ascertaining as far as possible the extent of insanity in the State, I issued, in May last, a circular letter and directed it to the address of the Sheriff of every County in North Carolina requesting a report of the number of insane and idiotic in prison, in the poor houses and in private families in their respective Counties. Answers were received giving the number, sex and color of 228 patients from the following Counties, to-wit: Alamance, Ashe, Cabarrus, Chowan, Camden, Carteret, Clay, Caldwell, Cherokee, Davie, Gaston, Guilford, Hertford, Hyde, Haywood, Johnston, Lincoln, Madison, Macon, Nash, Onslow, Pasquotank, Perquimans, Pitt, Rowan, Stanley, Tyrrell, Union, Washington, Wayne and Wilkes, 31 in number, being an average of more than 7 to each County. This being taken as a basis of calculation for the other Counties would indicate 623 as the whole number in the State outside of the Asylum.

I have reason, however, to believe that the number is very considerably above this; amounting, perhaps, to at least one in every thousand of our population. Of this number it is reasonable to suppose that 50 per cent. are incapable of self control and require special care as a matter of safety to the community.

INCREASE OF BUILDING.

The Constitution declares that all the insane shall be supported at the public expense, it becomes a serious question as

to how this provision of the Organic Law is to be applied to all these unfortunate persons.

In many families already reduced to pecuniary distress and suffering, almost the entire time of the friends is occupied in nursing the insane and preventing injury to themselves and others. In some cases necessity has forced the removal of the unfortunate sufferers to the jails for safe keeping and restraint.

The enlightened humanity of the age deplors the sad alternative of thus placing on a par misfortune and crime.

I can not better express my views upon this subject, confirmed as they are by time, than to repeat the language of my last report :

“In view of this condition of affairs and of the urgent and constantly increasing demands all over the State, on the part of the authorities and friends, for the admission of more than can be accommodated here, it becomes a question whether the Legislature will not take into immediate consideration the means of providing additional room.”

No law can long be satisfactory to the public, which discriminates between equal sufferers, or withholds relief from any portion of a class who have lost the power to realize or minister to their own necessities.

The simple claims of common humanity should induce each State to make provision for all its insane, and it will be found that it is no less its interest to do so as a mere matter of economy, especially as regards the poor. Of the recent cases of insanity, properly treated, between 80 and 90 per cent. recover. Of those neglected or improperly managed, very few get well. Where fifty or one hundred dollars may be required to cure a case, ten times that amount may not be sufficient to support one that is uncured through life. Those who recover may become valuable citizens ; if they do not add directly to the wealth of the State, they at least support their families ; those who become incurable, are often during a long life, a source of constant expense to the public, and not unfrequently their families also become a public burthen.

The first inquiry naturally raised in this connection is, how shall this provision be made? Whether by enlarging the present buildings, or constructing another institution in the State?

IMPROVEMENTS.

The improvements that from time to time were found to be necessary for the preservation and safety of the buildings, the care and comfort of the patients and the arrangement and preparation of the grounds were much more extensive and urgent than were anticipated at the commencement of the year.

Our defenceless condition against destruction by fire in case of accident, made the more apparent by reflection upon the sad calamities that had befallen similar institutions, has been, I hope, successfully provided for by the construction of an apparatus, involving a good deal of labor and cost, consisting of 1,800 feet of cast iron piping, of 4 inch diameter, surrounding most of the building, communicating with the tanks in the attic, and also with a ground tank located near the boiler house, 32 feet long, 16 wide, and 12 deep, cemented and arched with brick, and holding upwards of 40,000 gallons of water.

Upon this piping, hydrants or fire plugs, 8 in number, are placed at convenient points for the attachment of hose, (300 feet of which have been purchased,) through which the water is forced by a Woodward Steam Fire Pump, manufactured expressly for the Institution, situated within a few feet of the ground tank, and capable of throwing 8,000 gallons of water an hour. In case of fire, the water in the tanks in the attic could be used so long as available, and until the force pump could be put in action, by which it can be thrown from the ground tank to any desirable height or locality. If, in the event the large supply of water on hand should not be sufficient to extinguish the flames, the engine and force pump on

Rocky Branch (the source of supply for all our purposes,) might in the mean time be put in action, by which combination water could be supplied and used *ad infinitum*. Another great advantage of this improvement is, in case of necessity for repairs in the machinery on Rocky Branch, which supplies the entire premises for ordinary purposes, that *this* could be used independently for a time, and thereby avoid serious inconvenience, and possibly suffering to the household.

DOORS.

A door through the attic wall of the centre building, and one into the enclosed attic of each wing, were considered necessary not only for use in case of fire. but for ventilation and other purposes.

DRAINAGE.

Danger of continual washing of the grounds and gradings near the buildings and in the yard, is prevented by the introduction under ground sufficiently deep for its own protection, of 1,400 feet of terra cotta piping of sufficient dimensions to convey the water, falling upon the buildings adjacent thereto, and by running the gutters from the centre and eastern wing roofs into the sewer pipes, thereby attaining two additional objects, viz : economy and purer ventilation by cleansing main sewerage.

GRADING.

The large and unsightly embankments in front of each wing deposited by excavations for the foundation of the building originally, are being removed, and the grounds graded, with a view of ornamenting with walks and flowers for the comfort and amusement of the patients. Similar improvements are

being made elsewhere as fast as means and opportunity will permit.

FRONT GROUNDS.

The beautiful grove and rolling grounds in front are being cultivated in small grain and clover, with the ultimate design, should an appropriation be made for that purpose, of converting them into flower gardens and pleasure grounds. Too much stress cannot be laid upon the importance of these improvements, as a source of pleasure and advantage to a large majority of the patients. The Asylum and its surroundings should be divested of all gloomy associations, and made to approximate home appearances as far as possible, and afford every convenient facility for exercise in the open air, and pleasant and agreeable recreation of mind and body.

PAINTING.

The commencement of decay upon a considerable scale, presented an urgent necessity for repainting the building with as little delay as possible. This was commenced, and after finishing the outside in good style, was discontinued for want of means to complete the inside. It is important that it be resumed so soon as an appropriation shall be made for that purpose.

OILING THE FLOORS.

It is thought advisable upon observation of its benefits elsewhere to protect the floors of the rooms of certain classes of patients from the absorption of unhealthy impurities by oiling. This is now undergoing an experiment which it is hoped will prove satisfactory.

ROOFING.

It was unexpectedly discovered during the year that owing to long continued leakage at the junction of the tin roof and gutters upon the eaves, that the sheeting to which it was fastened around the entire building was so destroyed by decay that the whole roof was at the mercy of the winds. This with numerous leaks in different localities had to be repaired at very considerable cost.

COURTS.

The want of suitable grounds and enclosures for recreation and exercise in the open air of a certain class of patients who needed special care and oversight, and who had been necessarily too much confined to their wards, had long been felt as a serious inconvenience. The erection of a court for each sex in the rear of the wings, enclosing each about 4,000 square yards of ground, well shaded, was completed in early summer, and their use has been attended with the most gratifying results in contributing to the health, comfort and amusement of many who could not otherwise have safely enjoyed the privileges thus obtained.

WOODHOUSE.

The erection of a woodhouse, 80x40 feet, built in a strong and substantial style, capable of shedding 250 cords of wood, is an investment of no inconsiderable practical benefit. The exposed condition of the wood for fuel in protracted seasons of foul weather had been a source of considerable inconvenience and waste.

MILL.

I am indebted to the suggestion of our excellent Engineer for the judicious purchase, since my last report, of one of

Straub's portable grist mills, propelled by a connection with the small engine used for washing, without interfering with its ordinary operations, and capable of grinding into good meal six bushels of corn per hour. This useful piece of machinery cost only the trifling sum of \$165, and in the items of toll, time and labor has already saved hundreds to the State.

MINOR IMPROVEMENTS.

The necessary minor improvements as far as particularly remembered may be briefly enumerated to be the pavement of the ground passages from the main building outward with cheap cement made of rosin and sand which is both neat and substantial; the elevation of the machinery in the engine house upon a brick floor so as to preserve neatness, gain speed and save power; opening windows near the fan so as greatly to benefit the efficiency of its action for ventilation; improvement of downward ventilation by opening suction flues in sewerage at suitable points; repairing and painting (in patchwork, it is true, for want of means) the outside buildings and premises wherever injury or decay indicated an immediate necessity; glazing the windows of the main and outer buildings to the number of 1,000 glasses or more; introduction of gas in the kitchen; additional tubs in the wash house; considerable repairs of the pipings and fittings of the heating, water and gas apparatus; improvement in the condition of the stock by the enclosure of well watered pasturage; increased cultivation of clover; irrigation of the garden with the sewerage during the summer and numerous others of more or less importance.

KITCHEN.

The kitchen furniture had become so nearly worn out by long use as to be quite inadequate to the wants of our increased household, and has been replenished by the purchase of a complete coffee and tea apparatus of improved style and utility;

of one of Whiteley's double jacketed boilers; of a small range for hasty preparations for the sick: furniture for large range and other articles of necessity.

GARDEN AND FARM.

The vegetable garden has furnished an abundant supply of the finest vegetables of most varieties for the use of the Asylum and some to spare to the Institution for the Deaf and Dumb and Blind in Raleigh, which has no facilities for gardening attached. This, with our small farm, offers to those accustomed to such a pursuit or those who wish to derive the advantages of exercise in the open air one of the best kinds of labor that can be provided about a hospital for the insane. Accompanying this report will be found a statement of the products of the same, with an estimate of expenses, labor of patients, &c.

PURCHASES.

The difficulty of keeping in proper repair and the uncertain tenure of the right to procure and conduct water into the reservoir at the pump-house by a dam upon Mr. Wm. Boylan's land suggested the propriety of running the aqueduct higher up Rocky branch where it was supposed sufficient fall might be obtained for a supply without damming the stream. A covenant in perpetuity in this right was obtained by purchase from Mr. Daniel Gooch for the sum of fifty dollars. Should this arrangement, however, not prove available it may become advisable for the General Assembly to condemn sufficient realty for the accomplishment of this indispensable necessity beyond all future contingency. It become necessary also to purchase a new rockaway, built expressly for institutions of this sort, by Messrs. Lawrence, Bradley & Pardee, of New Haven; a pair of horses; an organ for the Chapel; a very large number of mattresses and iron bedsteads for the wards; additional registers for the flues; window guards; new retorts

for gas house, and other things of actual necessity more fully shown in the Treasurer's report.

ADDITIONAL EMPLOYEES.

The importance of a more thorough system of organization, of an increased amount of outdoor exercise and recreation, and of sufficient watchfulness over and attention to the patients at all hours of the night as well as day, justified, it was thought, the employment of a supervisor, night watch and extra attendant for each department, embracing six wards.

ACKNOWLEDGEMENTS.

We are indebted to Mr John S. Pierson, a philanthropist of New York, for a stereoscope and number of fine views, books and prints for the patients, to Miss Dix, for a lot of prints and music, and to the editors of the "Southern Churchman," Alexandria, Va., the "Newbern Daily Times," the "American," Statesville, the "Daily Standard," Raleigh, and the "Western Democrat," Charlotte, for a copy of their respective papers.

Among officers and employees who have discharged their duties with so much efficiency and fidelity, as most of those with whom I am connected here, it is difficult to discriminate without injustice; but I must be excused for mentioning in an especial manner the valuable services of the Assistant Physician, Dr. F. T. Fuller, to whose experience, industry and ripe judgment we are indebted for an amount of extra labor and responsibility usually requiring, in similar institutions, a correspondingly increased amount of medical aid.

Nor ought I to omit a reference to the obligation I am under to your board for the interest always manifested in every measure thought likely to advance the efficiency and usefulness of our institution, and for your uniform kindness and courtesy in all our official intercourse.

NECESSARY FUTURE REPAIRS.

The dilapidated and worn out condition of the hot water apparatus is such that it will have soon to be repaired with new material, except the tank, consisting of about 2,000 feet of piping and other fixtures.

It would be decided economy to supercede entirely the present expensive and uncertain gas works, adapted only to the manufacture of that article from rosin oil, for the much cheaper and more certain illumination from the crude rosin—always accessible and reliable.

The cost at present is \$8 per thousand cubic feet when the oil is good, and when of inferior quality considerably more. We are in great need of an additional boiler of about 40 horse power. The capacity of the two now in use is scarcely equal to keeping the building comfortably warm in cold weather, besides, having to generate steam for cooking, washing, driving the fan for ventilation, and heating water in tanks. The consequence of this complicated use of already insufficient power is an inadequate, uncertain and variable temperature in the wards, to the great discomfort of the inmates in severe seasons. In addition to and in connection with this improvement, there ought to be an increase of *heating surface*, either of the steam coils or by direct radiation, in order to insure comfort in cold weather for all parts of the building. Another expenditure of absolute necessity will be for a new steam pump in the well which supplies the boilers, the present one being nearly past all service. The completion of the painting of the inside of the main building is indispensable, and of the outhouses and courts, for their preservation, quite desirable.

In view of the impoverished condition of our State and its embarrassed finances I make these suggestions with great reluctance; but most of them will be found, upon inspection, to be not only of great importance but of indispensable necessity.

CONCLUSION.

The affairs of the Institution have been administered during the past year with as much economy as the preservation and safety of the buildings, and the comfort, care and cure of the patients would possibly permit. Every reasonable effort has been made to save means and prevent waste. But few can fully appreciate the anxiety, care and solicitude of those upon whom the responsibility of its management devolves.

With renewed expressions of gratitude to an overruling Providence for all the blessings of the past, and with many wishes for an increased usefulness in dispensing good to the afflicted, relief to families, and protection to the public in the future, I commend it to your continued oversight, and to the fostering aid of an enlightened commonwealth.

EUGENE GRISSOM, M. D.,

Superintendent.

November 1st, 1869.

APPENDIX.

NUMBER OF ARTICLES MADE AT THE INSANE ASYLUM OF NORTH CAROLINA, DURING THE YEAR 1869, BY THE PATIENTS AND ATTEN- DANTS.

339	Shirts.
253	Drawers.
124	Coats.
418	Pair Pants.
43	Vests.
218	Socks.
175	Sheets.
75	Bed Ticks.
30	Curtains.
44	Pair of Suspenders.
71	Pillow Ticks.
9	Table Cloths.
127	Pillow Slips.
44	Flannel Shirts.
184	Towels.
32	Handkerchiefs.
238	Dresses.
72	Skirts.
95	Chemise.
13	Gowns.
172	Pair Ladies Hose.
14	Bodies.
3	Sacks.
13	Collars.
4	Capes.
71	Aprons.
14	Bonnets.
29	Hoods.
27	Spreads.
32	Quilts.
6	Sleeves.

BY-LAWS.

BOARD OF SUPERVISORS.

The annual meeting of the Supervisors shall be held on the first Monday in November; but all other meetings may be held at such stated times as shall be agreed upon.

In the absence of the President, the senior supervisor shall preside at the meetings: and when the Clerk is absent, a Clerk *pro tempore* shall be appointed.

All questions brought forward for the consideration of the Board shall be submitted in writing, and decided by a majority of the members present.

The Executive Committee shall consist of three members, two of whom shall reside in the city of Raleigh, and be fully competent to transact business.

They shall be, in the absence of the Board of Supervisors, the advising body with whom the Superintendent of the Asylum shall confer in regard to the business of the Institution; and they shall be clothed with full powers to do all acts which a full Board could do, except in such cases as the law requires the action of a full Board, or where prevented by a special order of the Board; and they shall meet monthly at the Asylum, or such place in the city of Raleigh as may be agreed upon, for the transaction of all business within the scope of their duties. On these occasions it shall be their especial duty to examine the books of the Treasurer, and to examine and audit the accounts of the Steward for the expenditures of the preceding month; and if they find them correct, to draw on the Treasurer for such sums as may be necessary to pay them off, and to meet the expenses of the current month, if deemed advisable.

The Committee shall keep a journal of their proceedings,

and report at the regular meetings of the Supervisors upon the general condition of the Asylum, and recommend such modifications of the existing regulations, or such new ones as they may deem expedient.

DUTIES OF SUPERINTENDENT.

The Superintendent being required by law to reside in or near the Asylum buildings, and to devote his whole time to its welfare, becomes the chief executive officer under the Supervisors of the establishment, from whom all persons employed by him, with the approval of the Supervisors, will receive their instructions: while it shall be his duty to see that all the officers and employees of the Institution are energetic, industrious, punctual, exact, and in all respects faithful in the performance of their several duties as prescribed in these By-Laws.

He shall visit all the patients daily and learn their condition, and shall visit those requiring it as much oftener as necessary, and shall direct such medical, moral and physical treatment as in his judgment will be conducive to their comfort and amelioration, or best adapted to their relief.

He shall keep a record of the name, age and residence of each patient, and the supposed cause of his insanity, and the length of time he has been afflicted; also of the time when received and removed, whether cured or relieved, whether eloped or dead, and, in case of death, of what he died, and shall conduct the correspondence of the Institution.

At each monthly meeting of the Executive Committee he shall exhibit all the records of the Institution, its general state, the names of persons received or removed, with such remarks and suggestions as he may deem useful; and at the annual meeting furnish a tabular view of the condition of the Institution for the year, deduced from the records.

It shall be his duty to give to all persons employed in the Asylum such instructions as are best adapted to carry into effect all the rules and regulations of this Institution; and he

shall take care to see that these rules and regulations are strictly and faithfully observed and executed.

Subject to the instructions of the Board of Supervisors, and, in their absence, of the Executive Committee, he shall determine what attendants and other assistants are necessary, and with them arrange their rate of wages. When wishing to be absent from his duties for more than one day, he shall report the same to the Board of Supervisors or the Executive Committee.

ASSISTANT PHYSICIAN.

He shall have charge of the medical office, prepare and put up all medicines, see that all prescriptions are properly administered, and report to the Superintendent regularly the effects of the same.

Under the special direction of the Superintendent he shall receive company and conduct them through the Asylum, when the Steward is not present.

He shall keep a record of cases under treatment, and shall perform any other duty connected with the medical department required by the Superintendent.

He is required to spend his whole time in the Asylum, and in his intercourse with the inmates will exert what moral influence he can, and endeavor by every proper and lawful means to further the views and wishes of the Superintendent.

It is his duty to see that the patients are kindly and properly treated by their attendants, and to report to the Superintendent all instances of the neglect of duty or misconduct which may come under his notice.

He shall carefully study the character and peculiarities of the patients, and direct their exercise and amusements.

He shall discharge the duties of the Superintendent during his absence, and be clothed with his authority.

STEWARD—HIS DUTIES.

The Steward, under the direction of the Superintendent, shall purchase furniture, fuel, stores, implements, and all supplies for the Asylum, and shall be responsible for the safe keeping and economical use of the same.

He shall keep methodical and accurate accounts of all purchases, and of all moneys expended by him, as well on account of the patients as for the Institution.

He shall exhibit his vouchers, books and accounts to the Executive Committee at their monthly meetings, and shall furnish an abstract of the same to the Treasurer of the Asylum at the end of each month.

In the name of the Superintendent, and by his direction in each case, and not otherwise, the Steward shall hire attendants and assistants and agree with them for their wages; and by like directions shall dismiss them when unfaithful, negligent, or incompetent; and shall keep and settle their accounts.

He shall constantly observe the condition of all persons employed in subordinate positions, see they do their duty, and report to the Superintendent any instance of neglect or misconduct that he may observe, or of which he may be informed.

Under the direction of the Superintendent he shall attend to the business of the farm, stock, garden, grounds, fences and outbuildings, and see that they are always kept in order.

He shall assist in maintaining the police of the establishment; shall see to the opening and closing of the house, and that the attendants and servants rise and commence their business at the ringing of the bell, and retire in proper season at night; that the bell is rung at proper hours; that the warmth, cleanliness and ventilation of the house is attended to.

He shall receive visitors, give them all suitable information, and accompany them to such parts of the building as are open for examination.

It shall be the duty of the Steward to be in the presence of the male patients as much as possible, to see that they are

kindly treated, that their clothes are taken care of, that their food is properly served and distributed, and that they take the same in a proper manner ; that the rooms, passages and other apartments under his care are kept clean and in good order, and properly warmed and ventilated ; and that the male attendants observe his orders and directions and in all respects do their duty.

It shall be his duty to devote his whole time to the Institution, to preserve order in the house and faithfulness amongst the assistants, and to see that all the regulations here adopted shall be fully put in practice.

MATRON.

It shall be the duty of the Matron to look carefully to the female patients, to be with them as much as possible, to direct the nurses in their duty, to see that the patients are kindly treated, that their food is properly served and distributed, that their apartments are kept clean and in order, properly warmed and ventilated, and that the female attendants do their duty in all respects. She must also superintend the kitchen, the cooking, the washing and ironing, and take care of the clothes and bedding, and see that they are always clean and in order ; keep a record of the clothing of patients when they enter and during their continuance in the Asylum, and watchfully superintend the bathing of the female patients.

Indeed, she must look into every department frequently, and see to the good order of the whole house—direct the employment and amusement of the female patients, and spend as much time with them as her other duties will allow ; and thus, by devoting her whole time to the Institution, spare no effort to promote the comfort and recovery of the patients, and the general welfare of the Asylum.

SUPERVISOR.

It shall be the duty of the Supervisor or chief attendant to see that the moral treatment of patients, and the conduct of the attendants conform in all respects to these by-laws and the instructions of the Superintendent and Assistant Physician.

He shall always be present when food or medicine is administered coercively; and he shall invariably be present when restraint is applied, and when patients take their baths. He shall keep a faithful list or record of the patients' clothes, and also frequently pass through the different wards, aiding and encouraging the Attendants in their efforts to amuse or employ the patients; and in every way indeed endeavor to promote the good order and discipline of the Asylum, by seeing that the Superintendent's or Assistant Physician's instructions in reference to occupation and exercise are faithfully and cautiously fulfilled, and by guarding against disturbances, escapes, suicides, exposure, &c. He shall also wait upon visitors, when called on for that purpose, and perform any other service required of him.

ATTENDANTS.

The Attendants shall treat the patients with uniform attention and respect—greet them with friendly salutations, and exhibit such other marks of kindness and good will, as evince interest and sympathy. They shall speak in a mild, persuasive tone of voice, and never address a patient coarsely, or by a nick-name.

On arising in the morning, every Attendant shall see that each patient confided to his or her care is washed, hair combed, and that he or she is decently dressed for the day. Attention shall be given to the person and dress of each patient during the day as often as required by disorder or any want of cleanliness.

One Attendant must always be with the patients, and must

not leave them under any circumstance, but when relieved by another.

An Attendant must always be present at the meals—carve the food, and distribute it to such as are not competent to do it for themselves, and to see that each one has his or her proper supply, and that they take it in a proper manner.

Care shall be taken that no patient carries away a knife, fork, or other article from the table, and the knives and forks shall be counted after each meal, to prevent any being lost.

No Attendant shall ever apply any restraining apparatus to a patient except by order of the Superintendent, or of a resident officer under his direction.

The patients are to be soothed and calmed when irritated, encouraged and cheered when melancholy and depressed. They shall never be pushed, collared, nor rudely handled.

When Attendants receive insulting and abusive language, they must keep cool, and forbear to recriminate or threaten. Violent hands shall never be laid upon patients under any provocation; and a blow shall never be returned, unless in the clearest case of necessary self-defence. Sufficient force to prevent injury to themselves or others shall always be applied gently. Authority must be maintained by kindness of manner and dignity of deportment.

Attendants shall never place in the hands of patients, or leave where they can obtain, any razor, knife, rope, cord, medicine, or any dangerous weapon or article. Neither shall they deliver any letter or writing to or from a patient without permission of the Superintendent—nor retain in their possession any writing of a patient.

Attendants must never leave the Institution without permission from an officer, and always return by nine o'clock at night, unless leave be expressly given to stay out longer. When abroad, the conduct and conversation of patients must not be reported. No company must be admitted into the apartments occupied by the patients, at any time, except by express permission of the Physician. But all other parts of

the Asylum may be exhibited by the Steward or Matron, and it is expected that great respect will be shown to strangers who visit the Institution.

It shall be the duty of the Attendants to keep the patients' rooms and halls perfectly clean and well ventilated; to have the beds aired and sunned, and made in proper season; all the doors of rooms to be kept closed when the patients are in bed.

The Attendants must never give up the key of the passages, nor let any one into the halls without permission; and no male Attendant shall enter a female apartment without permission of an Officer.

Every patient must be in charge of some responsible individual at all times, unless permitted to be at large by the Physician.

No patient shall be permitted to go out of the ward in which his apartment is situated without the consent of an officer, and no new patient without the order of the Physician.

No Attendant shall discontinue service at the Asylum without giving to the Superintendent or Steward at least fifteen days' notice.

It is required that all persons who have duty to perform in the Asylum will rise at the ringing of the morning bell.

WATCHMAN.

The duties of the Watchman are of a most responsible and important character. He should be careful, therefore, to keep up the strictest vigilance during the night, never allowing himself to sleep while on duty, or to fail in any particular to discharge his trust with fidelity.

He must commence his rounds at half-past nine o'clock at night, having first rung the Asylum bell to announce the hour for closing the Institution for the night; and after that time no employee must be out without the express permission of the Superintendent.

It shall be his duty to pass around the buildings at least

every hour in the night, and have a particular care over the apartments occupied by the female patients, besides strictly observing such special directions for the night as shall be given him by the Superintendent or other superior officer.

He shall notice all unusual sounds in the patients' rooms, and give immediate information of the same to the proper Attendant.

He shall report to the Superintendent all irregularities or violations of the rules of the Institution which may come under his notice, and enter in his watch-book any remarks he may have to make upon the occurrences of the night.

Should he discover fire in any part of the Asylum or out-buildings, he shall immediately give notice first to an officer, and then to the Attendants, but never raise a general alarm.

At daylight of each day he shall ring the Asylum bell again, when his duties will cease until the next night.

TREASURER.

The Treasurer, besides acting as Clerk to the Board, shall keep, in a regular set of books, clear and methodical accounts of all monies received or paid out by him for the Institution, &c., and shall exhibit these accounts to the Supervisors or Executive Committee quarterly or oftener if required, made out in full, with all the items specified. He shall hold the funds of the Asylum at all times subject to the claims of the Institution, and shall either pay or protest all drafts which may be presented, if properly drawn and authenticated, with their items specified.

OTHER EMPLOYEES.

All other employees about the Institution, whose duties have not been specifically defined in the foregoing by-laws, shall strictly conform to their general spirit, and shall always be selected with reference to their fitness, not only for the

purpose for which they have been specially employed, but likewise for the companionship and oversight of the patients while at work out of the wards, and in their walks over the Asylum grounds.

TERM OF OFFICE.

The term of office, which has not been prescribed by law, of the different officers of the Asylum, shall commence on the and terminate on the in each year.

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

REPORT OF THE PRESIDENT OF THE BOARD OF
DIRECTORS AND PRINCIPAL OF THE NORTH
CAROLINA INSTITUTION FOR THE DEAF, DUMB
AND THE BLIND.

— — —
N. C. INSTITUTION FOR THE DEAF AND DUMB AND THE BLIND,
Raleigh, November 16th, 1869.

To His Excellency, W. W. HOLDEN,
Governor of North Carolina :

DEAR SIR: I send you herewith the Report of the President of the Board of Directors, Principal and Treasurer of the North Carolina Institution for the Deaf and Dumb and the Blind.

Please send the report to the General Assembly at your earliest convenience and oblige,

Your's Very Respectfully,

W. J. PALMER,
Principal.

PRESIDENT'S REPORT.

To the Honorable, the General Assembly of North Carolina.

The Board of Directors of the Institution for the Deaf and Dumb and the Blind, respectfully submit the reports of the Principal, Auditor, and Treasurer of said Institution.

The report of the Principal exhibits the general operations of the several departments.

I beg leave to call attention to the urgent necessity of such repairs and improvements as he has recommended. The number of pupils has become so large that increased provision for their accommodation is imperatively demanded. The dormitories are too much crowded for health and comfort. The present plan of warming the buildings is not only imperfect and wasteful, but highly dangerous. It is difficult to protect them against fire, and consequently against loss of life. A steam heating apparatus will certainly render them more comfortable and secure, and in the end will cause a saving of expense. The health of the inmates and of the neighborhood, requires a more thorough system of drainage, by well constructed sewers.

If the members of your Honorable body will visit and personally inspect the premises, the importance of the changes and improvements recommended will be apparent.

A close inspection of the books and accounts, and of the general management of the Institution, is solicited.

It is the ardent desire of the Board of Directors to fully comply with the beneficent provisions of the State Constitution, and provide for the education of all the Deaf mutes and Blind of the Commonwealth.

We cannot do this with the facilities now at our command. We do therefore, respectfully urge upon the Gen-

eral Assembly to give careful attention to this matter, and to initiate means for the early purchase of new premises for the Deaf and Dumb, of not less than fifty acres in extent.

From the report of the Treasurer, it will be seen that \$43,014 75 was received from all sources, and that \$42,046 73 was expended during the year, leaving a balance on hand July 1st 1869, \$968,02. The last appropriation was \$38000, of this \$3,000 was on hand at the close of the fiscal year.

Owing to the largely increased number of pupils, the Directors are of the opinion that an appropriation of not less than forty thousand dollars will be required for the next year, for the ordinary expenses of the Institution, and that the necessary improvements and repairs, will require an additional sum of at least six thousand dollars.

The Board cannot finally submit this report without warmly recommending the Principal, Prof. W. J. Palmer, for the faithful, affectionate, and tireless industry and ability with which he has discharged the responsible duties of his office, and also tendering to the officers and teachers associated with him, grateful acknowledgments for patience, zeal and skill, in the instruction and management of the pupils.

S. S. ASHLEY,

President of the Board of Directors.

PRINCIPAL'S REPORT.

To the President and Board of Directors of the North Carolina Institution for the Deaf and Dumb and the Blind.

GENTLEMEN:—I beg leave to present the following report of the operations of the Institution from July 1st., 1868, to July 1st., 1869.

During that time the whole number of pupils in attendance was one hundred and fifty-four; one hundred and twenty-six white and twenty-eight colored. Of the white pupils eighty-six were deaf and dumb and forty blind, and of the colored pupils twenty-one were deaf and dumb and seven blind; being an increase of fifty pupils over the number in attendance last session.

The general progress of the pupils in the literary department has been very satisfactory. It became necessary, at the first of the session, to make a new classification of the pupils in both departments, and it gives me pleasure to state that at the close of the session our classes were better arranged than at any previous time since I have been connected with the Institution. In addition to the regular course of studies pursued by our deaf mutes, some attention has been given to the subject of Articulation, which has received considerable notice from our profession for several years past. A class of semi-mutes was formed and instructed from one to two hours each day. No congenital mutes were placed in this class. The articulation of some of the members of this class was very much improved, and I would recommend that the class be continued. The experiment of teaching articulation to congenital deaf-mutes is now being fully tested in several Institutions in the United States. I would recommend a continuance of the course of instruction by signs, until it can be clearly shown that there is a better method. In our Institu-

tion we are not now in a condition to make the experiment of adopting a new system, which is not recommended by the oldest and most experienced teachers of deaf-mutes in this country.

In our deaf-mute department the trades of Shoe-Making, Cabinet-Making and general wood-work, and Printing have been taught, and our blind pupils have been instructed in broom-making. Arrangements have been made to instruct the blind in cane-seating chairs. As will be seen from the Auditor's report, these trades have not been so remunerative as in former years. Several reasons may be assigned for this. The shoe shop was established in December 1868, and as all the pupils working there had no previous instruction, very little work of a profitable nature was done during the remainder of the session. All the shoes used by the pupils and inmates of the Institution were made, and all necessary repairs done by the pupils. Some of them have made very rapid progress in learning the trade, and we hope next year to make a more favorable report.

In the Cabinet and Wood shop most of the time has been devoted to making necessary repairs to the furniture and buildings. Some new furniture has been made and a new wagon was built. Very little work has been done outside of the Institution.

In the printing office we published the "American Annals for the Deaf and Dumb," and the "Deaf Mute Casket;" besides executing some printing in raised letters for the blind. We have made no effort to get work from without in this department.

In the broom shop, owing to the high price of materials, comparatively little work has been done. I have tried in vain to interest our farmers in the culture of broom corn, as it always meets with a ready sale. We have usually purchased our supplies in Baltimore. It is brought there mostly from Chicago, Ill. I would recommend that we pur-

chase a supply in Chicago for use during the coming session.

I am still firmly convinced that we do not pay sufficient attention and devote sufficient money to the mechanical instruction of our pupils, and I would earnestly recommend that steps be taken to increase the efficiency of this department and thus enable our pupils, when their education is completed to go out into the world with a good trade as a means of livelihood.

Our female pupils have been employed as heretofore in sewing, knitting, and such other work as is suited to them. They have, under the care of the proper officers, made all the necessary clothing for the pupils, besides making sheets, comforts, quilts, towels, &c; and in addition to this have done a great deal of house work.

I regret to state that during the past session we had more sickness than usual in our Institution. A number of the pupils returned to school with ague and fever. Early in January a little blind boy entered the Institution from Wilmington. In a few days he broke out with measles which soon became an epidemic among our pupils. There were in all, about fifty cases. After the measles disappeared, nineteen of our pupils were attacked with Pneumonia, which often follows measles. Most of these cases yielded readily to medical treatment. There were two deaths from Pneumonia involving both lungs. Both of these were pupils who had entered this session. Susan Lee, a deaf-mute pupil from Catawba Co., died March 13th., 1869. She had two large goitres on her throat, and her mother, who was with her when she died, stated that she had been in feeble health before entering the Institution. Jacob Floyd, a blind boy from Chowan Co., died the 5th., of May. He was in infirm health when he entered the Institution, having a tendency to dropsy, and his constitution was not sufficiently strong to resist the disease. Both of the above pupils were just recovering from the measles when they were attacked with Pneumonia. I

feel it my duty to make special mention of the faithful and skillful-manner in which Dr. R. B. Ellis, Physician discharged his duties during the prevalence of these epidemics. He was ready at all times night or day to minister to the wants of the sick, and was nobly aided by the officers in the domestic department.

It becomes my sad duty to mention a most distressing accident which resulted in the death, by drowning of Enoch Orrell, a blind young man from Davie Co., who had been connected with the Institution for about seven years. It occurred on the 27th., of March, 1869, and was the result of wilful disobedience. In the morning the Principal gave positive orders that no pupil should leave the premises during the day. Orrell applied to the Steward for permission to take a walk. He declined to give him permission, but in defiance of this in company with three other boys, one partially blind, he walked to a mill-pond three miles from the City. He commenced paddling about in a small boat which leaked badly and when about twenty yards from the shore it sank and Orrell was drowned before assistance could be rendered. His body was recovered that night and brought to the City. An inquest was held by Coroner Crawford and a verdict rendered exonerating the Principal and officers of the Institution from all blame. This sad occurrence is much to be regretted and is a solemn warning against the sin of disobedience.

It gives me pleasure to make special mention of the general good behavior of the pupils. There were fewer cases of discipline than usual.

To the officers and teachers of the Institution in the several departments I am under special obligations. They have performed their respective duties faithfully and have cheerfully rendered me all the assistance in their power in carrying out the rules and regulations of the Institution. I think the salaries of some are too small for the duties they perform, and would respectfully recommend this matter to your consideration.

North Carolina has taken the initiative, in the work of providing for the instruction of the colored deaf and dumb and blind. In my last special report I mentioned that we had secured from the American Missionary Association, a convenient and well arranged building for the use of our colored department. The building is situated in the South-western part of the City about half a mile distant from the main buildings of the Institution. After the necessary repairs and improvements to the building and premises had been completed, competent teachers were secured, and the exercises commenced the 7th., of January 1869. Before the close of the session twenty-eight pupils had entered. Rev. Fisk P. Brewer a member of the Board of Directors was appointed to assist me in the supervision of this department, and rendered me efficient aid in its organization. Upon his resignation in March 1869, Mr. James H. Harris, a member of the Board, was appointed to this position. Living near the building and feeling a deep interest in the success of this department, he has rendered me valuable assistance. He has paid special attention to the domestic wants of this department and to the conduct and deportment of the pupils out of school hours.

I feel it my duty to make special mention of the interest taken in this department by Rev. J. W. Hood. Knowing that many of the colored people were ignorant of the advantages offered their unfortunate offspring, he has taken special pains, in visiting different parts of the State, to seek out the colored deaf dumb and blind and bring them to the Institution. I hope he will continue in this good work.

For a detailed Statement of the Receipts and Expenditures of the Institution, I beg leave to refer you to the reports of the Treasurer and Auditor.

It will be seen from the Auditor's report that \$4700.64 has been expended for repairs and improvements. These repairs were indispensable owing to the condition of the buildings and the necessity for such changes as would provide for

the large increase in the number of pupils. Only such work has been done as was absolutely necessary.

There is yet much to be done if we provide properly for the health, comfort and safety of our pupils and the proper preservation of the buildings. And here permit me to call attention to our wants in this particular. We need a proper system of sewerage and drainage. What we have at present is wholly inadequate to the wants of the Institution. We need some means of protection against fire. We have a tank holding five hundred gallons of water in the top of the central building, and a cistern near the chapel, and two wells in the yard. But we have no engine, force pump or other means of forcing water to the different parts of the building in case of fire. We also need a number of buckets and ladders.

We need and I would earnestly recommend a uniform system of heating our buildings, instead of the dangerous and expensive method now in use of stoves, grates and fire-places. After a careful examination into this subject, made by Hon. S. S. Ashley, President of the Board and myself, I am convinced that we should introduce a low pressure steam-heating apparatus and warm the whole building from one fire. This should be done on the score of safety and economy.

It has been recently discovered that some of the chimney flues are defective, particularly in the old part of the building. This furnishes an additional reason for a change in our present system of heating the buildings.

We need some additional school furniture and apparatus. We are especially in need of a series of maps for the use of the pupils in our blind department. In order to supply these needs, it will be necessary to ask a special appropriation from the Legislature.

The Constitution directs that the Legislature shall provide for the care of all the deaf-mutes and the blind within the limits of the State. Our buildings are at present crowded, and if we accommodate all who have applied for admis-

sion we will be compelled to rent rooms in buildings adjacent to the Institution. There are at least a hundred deaf-mutes and blind persons in the State, in addition to those already in the Institution who ought to be enjoying the benefits of an education. Some steps must be taken to carry out the provisions of the Constitution. I would again urge the recommendation contained in my last report that "a suitable location be secured adjacent to the City, to contain at least fifty acres, with the view of erecting suitable buildings for the use of the deaf and dumb, and that when this is accomplished, the present buildings shall be appropriated to the use of the blind." Until this is done it will be necessary for you to take some steps for the temporary accommodation of the increased number of pupils now applying for admission.

It affords me pleasure to speak of the warm interest which the members of the General Assembly have manifested in our Institution. An ample appropriation was made for its support during the fiscal year ending July 1st., 1869. In addition to this many of the members have taken special pains to search out and send to the Institution the deaf and dumb and the blind in their respective counties.

I am under obligations to Dr. Eugene Grissom Sup't., of the Insane Asylum for vegetables furnished at different times. I hope some provision will be made to secure a sufficient amount of land for garden purposes before the next season.

I am also under obligations to the publishers of a number of Magazines and Newspapers for sending them to our Institution in exchange for the "Deaf Mute Casket."

Since my connection with the Institution I have always found the Executive officers of the State willing to co-operate with me in all measures tending to advance the interests of the Institution. I am under obligations to Gov. Holden for the personal interest he has manifested in its success and prosperity.

In conclusion, gentlemen, permit me to return you my thanks

for the great interest you have ever manifested in the welfare and improvement of the unfortunate children entrusted to your charge, and for the confidence and sympathy extended in the discharge of the responsible duties which have devolved upon me.

Our prospects for the future were never more bright, provided means can be obtained to carry out the benevolent design for which our Institution was founded. With the hope that a kind Providence may continue to bless our efforts to furnish a good education to all the deaf and dumb and the blind within the limits of the State, this report is

Respectfully Submitted.

W. J. PALMER, *Principal.*

TREASURER'S REPORT,

Showing the Receipts and Expenditures of the North Carolina Institution for the Deaf and Dumb and the Blind, from July 1st, 1868, to July 1st, 1869.

DR.				
To cash in hands of S. H. Young, Treasurer, July 1st, 1868,	\$	3,237	07	
To cash received from Public Treasurer, " " " " Special Appropriation,		2,000	00	
		218	28	
To cash received from Mechanical Departments,		947	88	
				\$ 6,403 23
CR.				
By cash paid out as per vouchers,				6,063 56
By cash paid to Fisk P. Brewer, Treas.,				\$ 339 67
DR.				
F. P. Brewer, Treas'r, To cash received from S. H. Young, Treasurer,	\$	339	67	
To cash received from Public Treasurer, " " " " from John Armstrong for Book-Bindery,		11,500	00	
		1,500	00	
To cash received from Pay Pupils,		505	00	
" " " " Mechanical Dep'ts,		167	13	
" " " " Miscellaneous Sources,		153	94	
				\$14,165 74
CR.				
By cash paid out as per vouchers,				14,115 26
By cash paid to John Nichols, Treasurer,				\$ 50 48
DR.				
John Nichols, To cash received from F. P. Brewer, Treasurer,	\$	50	48	
To cash received from Public Treasurer, " " " " Pay Pupils,		21,500	00	
		75	00	
" " " " Mechanical Dep'ts,		968	55	
" " " " Int. on Kelly Fund,		120	00	
" " " " Miscellaneous Sources,		121	90	
				\$22,835 93
CR.				
By cash paid out as per vouchers,	\$21,867	91		
By balance on hand, July 1st, 1869,		968	02	
				22,835 93

AUDITOR'S REPORT,

A statement showing in detail the Expenditures of the North Carolina Institution for the Deaf and Dumb and the Blind, from July 1st, 1868, to July 1st, 1869.

Sundries Provisions,.....	\$ 204 71
Flour,.....	2,434 55
Milk,.....	75 20
Meal,.....	423 26
Sugar,.....	1,151 56
Coffee,.....	281 87
Tea,.....	74 25
Molasses,.....	208 61
Butter,.....	999 76
Provender,.....	412 97
Eggs,.....	249 22
Bacon,.....	3,131 44
Beef,.....	1,363 36
Fresh Meat and fish,.....	363 71
Lard,.....	667 28
Fowls,.....	252 84
Salt,.....	14 60
Groceries, assorted,.....	58 05
Washing and Soap,.....	187 70
Coal,.....	429 50
Wood,.....	1,373 95
Lights and Gas,.....	528 00
Salaries,.....	8,931 00
Wages and Labor,.....	134 15
House Rent,.....	217 75
Furniture and Bedding,.....	2,095 74
Clothing for Pupils,.....	1,380 99
Medical Attendance,.....	396 00
Medicine,.....	110 28
Printing Office,.....	475 25
Broom Shop,.....	624 97
Book Bindery,.....	652 10
Shoe Shop,.....	2,419 09
Wood Shop,.....	522 65
Freight and Drayage,.....	691 83
Travelling Expenses,.....	301 73
Crockery and Table-Ware,.....	238 07
Rice,.....	71 19
Cheese,.....	76 05
Servants Hire,.....	1,225 00
Vegetables and Fruits,.....	899 69
Repairs and Improvements,.....	4,700 64
Books, Stationary and Postage,.....	440 30
Miscellaneous,.....	555 87
	<hr/>
	\$42,046 73

SHOE SHOP REPORT,

*Showing Operations of the Shoe Shop, from December 1st,
1868, to July 1st, 1869.*

To amount of materials, &c., on hand,	\$1,050	00	
" " cash received for work,.....	397	95	
" " work done for Institution,...	633	70	
" " due for work done,.....	376	65	
			\$2,458 30
By amount of expenditures for materi- als, labor, &c.,.....			2,408 69
Balance in favor of Shoe Shop,.....			\$ 49 61

WOOD SHOP REPORT,

*Showing Operations of Wood Shop, from January 1st, 1869
to July 1st, 1869.*

To amount work done for Institution, . .	\$764	95	
“ “ due for work done,	40	65	
“ “ cash received for work done, . .	6	00	
			\$811 60
By amount of expenditures for labor, &c., . .			522 65
Balance in favor of Wood Shop,			\$288 95

BROOM SHOP REPORT,

*Showing Operations of Broom Shop, from March 1st, 1869,
to July 1st, 1869.*

To amount cash received for Brooms,	\$ 52 65		
“ “ due for Brooms,	134 95		
“ “ Brooms furnished Institution,	29 15		
“ “ Brooms on hand,	79 00		
“ “ Materials on hand,	57 40		
“ “ Brush not used up,	78 00		
“ “ for Book-Binding done by foreman for Institution,	61 50		
			\$492 65
By amount of materials on hand, March 1st, 1869,	\$100 00		
By amount of expenditures for labor, materials, &c.,	361 40		
			461 40
Balance in favor of Broom Shop,			\$ 31 25

PRINTING OFFICE REPORT,

*Showing Operations of Printing Office, from July 1st, 1868,
to July 1st, 1869.*

To cash received for work done,	\$503	
Expenditures for labor, materials, &c.,	\$475	25
Balance in favor of Printing Office,	\$ 27	75

In addition to above work a "Primary Reader" and "Scott's Lady of the Lake" has been printed in raised letters for the Blind. The "Deaf-Mute Casket," a monthly paper, has also been published.

CATALOGUE OF PUPILS.

WHITE DEPARTMENT.

DEAF AND DUMB.

<i>Names.</i>	<i>Post Offices.</i>	<i>Counties.</i>
Allen, Mary	East Bend,	Yadkin.
Allen, Manuel	"	"
Allen, Amanda	"	"
Allen, Lisany	"	"
Andrews, Albert J.	Raleigh,	Wake.
Banner, Richard Wade	Mt. Airy,	Surry.
Benton, Mary S.	Monroe,	Union.
Bunker, Louisa Emeline	Mt. Airy,	Surry.
Bunker, Jesse Lafayette	"	"
Carlile, John William	Ringwood,	Halifax.
Carlile, Elizabeth Alice	"	"
Carter, Jonas	Kinston,	Lenoir.
Carter, Mary	"	"
Carter, Nancy	"	"
Cherry, Albert	Dallas,	Gaston.
Clark, William S.	Oak Ridge,	Guilford.
Clements, Rowena F.	Morrisville,	Wake.
Clontz, Mary Adelaide	French Broad,	Buncombe.
Clontz, George F.	"	"
Clontz, John W.	"	"
Crisp, Sarah E.	Greenville,	Pitt.
DeLoatch, Caroline	Jackson,	Northampton.
Flow, Margaret Jane	Mint Hill,	Mecklenburg.
Flow, William Wilson	"	"
Flow, David	"	"

<i>Names.</i>	<i>Post Offices.</i>	<i>Counties.</i>
Fraley, Erastus David	Bush Hill,	Davidson.
Gardner, Uriah L.	Friendship,	Guilford.
Gibson, Gideon E.	Cool Spring,	Iredell.
Hamel, Francis D.	Charlotte,	Mecklenburg.
Hardison, Charlotte A.	E. Washington,	Beaufort.
Hardison, Florence E.	"	"
Harward, George B.	Raleigh,	Wake.
Haynes, Zachariah W.	Hamptonville,	Yadkin.
Hays, Elizabeth J.	Houstonville,	Iredell.
Hays, James M.	"	"
Holt, James Q.	Summerville,	Harnett.
Honeycutt, Sarah J.	Charlotte,	Mecklenburg.
Isley, Emily Elizabeth	Gibsonville,	Guilford.
Jamison, Jasper A.	Marion,	McDowell.
Johnson, Ellen C.	Harrell's Store,	Duplin.
Jones, Nancy	Haw Branch,	Onslow.
Kenneday, Solomon F.	High Point,	Davidson.
Knotts, John N.	Lilesville,	Anson.
Lane, James C.	Belvidere,	Perquimans.
Lassiter, Fannie G.	Sunbury,	Gates.
Lee, Susan	Catawba Station,	Catawba.
Lee, Rufus	"	"
Lee, Albert	"	"
Mallett, Joseph M.	New Berne,	Beaufort.
Mitchell, John W.	Chapel Hill,	Chatham.
Moore, Sarah A.	Morganton,	Burke.
Moore, Henry A.	Greensboro',	Greene, Ga.
Neel, Nancy C.	Newton Grove,	Johnston.
Osborne, William E.	Centre,	Guilford.
Parrish, Laura Ann.	Leachburg,	Johnson.
Partin, George Badger	Chapel Hill,	Chatham.
Powell, Mary Jane	Lenoir,	Caldwell.
Prigge, George W. T.	Wilmington,	New Hanover.
Pruett, Gold Griffin	Shelby,	Cleveland.
Rozzell, Lawson P.	Charlotte,	Mecklenburg.

<i>Names.</i>	<i>Post Offices.</i>	<i>Counties.</i>
Ruscoe, Jennie	Wadesboro',	Anson.
Sanders, Frankey L.	Albemarle,	Stanly.
Setzer, James H.	Catawba Station,	Iredell.
Severs, Christopher	Charlotte,	Mecklenburg.
Shore, William A.	Old Town,	Forsythe.
Sloop, Sarah Jane	China Grove,	Rowan.
Sloop, Laura Crawford	"	"
Snipes, Ann Eliza	Snipes' Store,	Chatham.
Stephenson, Dennis J.	Leachburg,	Johnson.
Sumerlin, Sarah W.	Newton Grove,	Wayne.
Sumerlin, Needham B.	" "	"
Sumerlin, David M.	" "	"
Tinnin, John I.	Cedar Grove,	Orange.
Vaughan, Lewis W.	Murfreesboro',	Hertford.
Warren, Campbell	Blackman's Mills,	Sampson.
Warren, Ashley	" "	"
Webb, Delila Jane	Mooresboro',	Cleveland.
Weir, William Tracy	White Plains,	Cleveland.
Weir, Columbus J.	" "	"
Wilkins, Walter W.	Cerro Gordo,	Columbus.
Williams, Thomas A.	Warrenton,	Warren.
Williams, Walter	"	"
Williams, Willie	"	"
Williamson, Elias A.	Cerro Gordo,	Columbus.
Wilson, William	Bush Hill,	Davidson.
Younts, Louisa J.	Trinity College,	Randolph.

 BLIND.

<i>Names.</i>	<i>Post Offices.</i>	<i>Counties.</i>
Allison, Rebecca E.	Pleasant Retreat,	McDowell.
Bridgers, Elizabeth V.	Brookville,	Granville.
Bromley, Margaret A.	Concord,	Cabarrus.
Chaplain, Matthias L.	Beaufort,	Carteret.
Costner, Jonas M.	Brevard Station,	Gaston.

<i>Names.</i>	<i>Post Offices.</i>	<i>Counties.</i>
DeLoatch, Elizabeth T.	Jackson,	Northampton.
Dettmering, Theresa C.	Greensboro',	Guilford.
Floyd, Jacob	Edenton,	Chowan.
Floyd, Francis E.	"	"
Francis, Daniel	Weldon,	Halifax.
Gaither, Emily E. I.	Houstonville,	Iredell.
Gay, James W.	Franklinton,	Franklin.
Gorham, Thomas A.	Greenville,	Pitt.
Hall, Elizabeth	Blockersville,	Sampson.
Hand, Daniel P. N.	Madison,	Rockingham.
Hartie, George W.	Raleigh,	Wake.
Heffner, Sidney D.	Lenoir,	Caldwell.
Heffner, Mary Ann	"	"
Honeycutt, Annie E.	Clinton,	Sampson.
Jackson, Emma	Elizabeth City,	Pasquotank.
Massey, Jackson M.	Pleasant Ridge,	Gaston.
McCurry, Alney	Marion,	McDowell.
McCurry, Thomas W.	"	"
McCurry, Harriet	"	"
McLean, Flora C.	Summerville,	Harnett.
Orrell, Enoch	Fulton,	Davie.
Owens, Mary	Saratoga,	Wilson.
Owens, Bettie	"	"
Page, Alfred M.	Morrisville,	Wake.
Pegram, Isabella	Castalia,	Nash.
Pegram, Zilphia Ann	"	"
Porter, Charles W.	Brinkleyville,	Halifax.
Sealy, Charles H.	Wilmington,	New Hanover.
Shank, Mary Ann	Concord,	Cabarrus.
Sherrill, Alice Duella	Sherrill's Ford,	Catawba.
Taylor, Mary J.	Murfreesboro',	Northampton.
Ware, Silas	Purley,	Caswell.
Willburn, Cornelius W.	Hyco, Va.,	Person.
Wooding, Robert S.	Milton,	Caswell.
Young, Rebecca Jane	Carey,	Wake.

COLORED DEPARTMENT.

DEAF AND DUMB.

<i>Names.</i>	<i>Post Offices.</i>	<i>Counties.</i>
Beasley, James	Wilmington,	New Hanover.
Beckwith, Ake	Smithfield,	Johnston.
Bullock, Isabella	Oxford,	Granville.
Byers, Amanda	Charlotte,	Mecklenburg.
Byers, Anna	"	"
Caldwell, Wesley	Greensboro',	Guilford.
Frater, Benjamin	New Berne,	Craven.
Gay, Catharine	Jackson,	Northampton.
Garrett, Julius	Greensboro',	Guilford.
Green, Henry	New Berne,	Craven.
Hill, Zachariah	Rich Square,	Northampton.
Jeffreys, Sidney	Raleigh,	Wake.
Lassiter, William	Rich Square,	Northampton.
Martin, Malinda	Raleigh,	Wake.
Monroe, Mahala	Newport,	Carteret.
Seymour, Daniel	Halifax C. H.,	Halifax.
Thomas, Lucy	Raleigh,	Wake.
Weaver, Amanda	Murfreesboro',	Hertford.
Wiggins, Thomas	Raleigh,	Wake.
Williams, Anna	Halifax,	Halifax.
Williams, Edward	Eagle Rock,	Wake.

BLIND.

<i>Names.</i>	<i>Post Offices.</i>	<i>Counties.</i>
Cox, Edward	Goldsboro',	Wayne.
Cox, Jane	"	"
Miller, Caroline	Charlotte,	Mecklenburg.
Pearsall, Eli	Magnolia,	Duplin.
Perkins, Elizabeth	Edenton,	Chowan.
Thompson, Lucy A.	Greensboro',	Guilford.
Washington, Virginia	Wilmington,	New Hanover.

DIRECTORS AND OFFICERS OF THE BOARD.

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HON. S. S. ASHLEY,

SECRETARY,

W. J. PALMER.

TREASURER,

JOHN NICHOLS.

EXECUTIVE COMMITTEE,

HON. S. S. ASHLEY,

JAMES H. HARRIS.

JOHN B. NEATHERY,

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JAMES H. HARRIS,

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PROF. W. C. KERR,

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JOHN B. NEATHERY.

OFFICERS OF THE INSTITUTION.

PRINCIPAL,

W. J. PALMER, A. M.,

INTELLECTUAL DEPARTMENT.

TEACHERS OF THE BLIND.

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JOHN SIMPSON,

NARCISSA J. DUPREE,
MOLLIE H. TAYLOR.

TEACHER OF MUSIC,

MRS. A. E. SLATER.

TEACHERS OF THE DEAF AND DUMB.

D. R. COLEMAN, A. B., | D. R. TILLINGHAST,

ASSISTANT TEACHERS OF THE DEAF AND DUMB.

ZACH W. HAYNES,
ELLEN C. JOHNSON,

MRS. EMILY C. NICHOLS,
JOHN I. TINNIN.

MISS M. A. ASHLEY.

DOMESTIC DEPARTMENT.

R. B. ELLIS, M. D., Steward and Physician.

MRS. E. J. TAYLOR, Housekeeper.

MRS. E. A. GORMAN, Matron,

MRS. V. C. AYER, Assistant Matron.

MRS. M. HARRISON, Matron of Colored Department.

MECHANICAL DEPARTMENT.

THOS. B. BERRY, Foreman of Printing Office.

JOSEPH WATSON, Foreman of Shoe Shop.

HENRY GORMAN, Foreman of Cabinet Shop.

DAVID C. DUDLEY, Foreman of Broom Shop.

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

REPORT OF THE ADJUTANT GENERAL.

STATE OF NORTH CAROLINA,
ADJUTANT GENERAL'S OFFICE,
Raleigh, Nov. 10th, 1869.

*To His Excellency, W. W. HOLDEN,
Governor and Commander-in-Chief of
Military Forces of North Carolina :*

GOVERNOR:—I have the honor to submit the following report, for the year ending the 1st instant.

An effort was made during the past year to effect a general organization of the militia without success, for the reason that in less than one-fourth of the Counties, were the Colonels able to find suitable persons who would accept of Captain's commissions and perform the necessary duties of enrolling officer under provisions of present law.

It being apparent that some modification of the law should be made, it was thought best not to issue commissions to officers for Regiments, Brigades, &c., that had not been organized, but to refer the subject to the General Assembly.

In eighteen Counties, the required number of Magistrates have called for the organization of the Detailed Militia.

The proper orders were issued, but a number of officers having failed to return a copy of muster roll, it is impossible

to state definitely how many companies are fully organized. Arms and equipments have been issued to but five companies. The remainder of the ordnance stores mentioned in my last report, is carefully stored in the Arsenal.

The Detailed Militia have been called out by the local civil authorities in three Counties, Jones, Craven and Wake, and, as I am informed, the special object of the call, in each case, was very successfully obtained.

The assassination of Sheriff Colgrove and two colored men in Jones County, and the burning of several buildings, produced such a state of excitement that further outrages were very seriously feared, and, in compliance with request of civil authorities, a detachment of one of the Militia companies of Wake County was sent there by your order. On their arrival quiet was restored; and, after remaining a month and a half, and fears of other acts of violence having in a measure subsided, they were withdrawn.

In regard to this organization, I would respectfully submit same objections and recommendations, in substance, that I offered in my last report.

Believing the Detailed Militia to have been productive of good results, and, as a posse, of considerable efficiency, yet as a military organization, I think it liable to these serious objections:

First. By allowing every person to obtain exemption by paying a commutation tax, none but volunteers can be taken; and persons having regular employment are not inclined to leave it for a few days service at the small pay allowed soldiers.

Secondly. No drill is required by which alone steadiness, good order, and obedience can be readily secured.

Thirdly. The organization is not adapted to use of tactics prescribed by the War Department for the United States Army and State Militia.

The section is the unit, which would be a serious objection

to any combination and would destroy its usefulness when large numbers were required.

It is hoped the organization hereinafter recommended will take its place.

The unqualified commutation clause, as it is at present, renders any organization totally unreliable. A company formed one year may prefer to pay the commutation the next, or any proportion it may choose to pay, and thus break up the company. An attempt to keep up an organization of the entire Militia with general musters, would be an injudicious effort to perpetuate a system that has been discarded as impracticable by nearly every other State.

It would be impossible for a large portion to provide themselves with suitable arms and equipment. They must be exempted, or fined, or armed by the State.

While a larger proportion regarding the whole matter as extremely irksome, would seek to evade the necessary duties of the organization and very likely succeed in rendering it useless.

The law may require six or eight days drill in a year, and this class would be likely to attend not more than that number of hours, and then with no benefit. To have an efficient Militia, there must be an "*esprit de corps*," which only those feel who readily assume its duties and take pride in its success. While these general musters, attended from different motives, besides learning the duties of a soldier, have always been a burlesque on military organizations.

The Constitution makes it imperative upon the General Assembly to "provide for the organizing, arming and equipping of the Militia;" and having stated a few objections to present system, I would respectfully submit a brief plan of organization, which is the same in substance as I offered for your consideration in my last report, and which met your approval.

First. The enrollment of entire militia by the tax assessors, and returns made to this office annually.

Second. The organization of a volunteer force, to be kept

up by draft, if necessary, of from one-eighth to one-sixth of entire militia, proportioned among the Counties. This force to be armed and equipped by the State.

Third. Those liable to duty, who are not members of volunteer organizations, to pay a small commutation tax for their exemption from musters.

This will go to the school fund and will relieve the State of otherwise providing for just so much for schools.

It is but just that all liable to duty should bear their share of the burden of government, and while a portion give their time the others should pay an equivalent.

Estimating the number of militia at ninety-two thousand, and that twelve thousand are organized as volunteers, it leaves eighty thousand to pay commutation, which, at present rates (\$2) would amount to one hundred and sixty thousand dollars revenue to the State.

Fourth. That these volunteer organizations be drilled sufficiently to render them disciplined and effective. To secure this, in addition to the company drill, there should be an annual encampment, by regiment or battalion, of not less than four days, the men to be subsisted during this muster by the State, or paid a per diem instead. The expense would not amount to half the commutation tax.

Sixth. That the officers be appointed and commissioned by the Governor. None but intelligent, responsible men of character should be appointed, and this object can be better secured by giving the Executive the appointing power, than by allowing the men to elect.

I would suggest that the law now seems objectionable, as it gives power to a single Magistrate or Constable to call out the whole Detailed Militia of the County. The calling out of the militia, it seems to me, should be made a matter for more consideration, than would likely be given it by a single petty officer, whose personal feelings might improperly influence his conduct.

Letters have been received during the year from the War

Department, making inquiries as to service, residence, &c., of persons formerly belonging to North Carolina organizations in United States army ; also letters from soldiers, asking for additional evidence that will enable them to obtain the bounty and back pay to which they are entitled.

This office contains no records that furnish any of the requisite information. I would again recommend that measures be taken to secure a complete roster of North Carolina soldiers who were in the Federal service during the late war.

The following statement shows the incidental expenses of the office for the past year :

Postage,	\$ 20
Printing,	36 30
Traveling expenses,	110 25
Expenses of Militia sent to Jones County, 26 men and 2 commissioned officers, on duty 48 days, pay and clothing,	1,196 52
Subsistence,	458 80
Transportation,	334
Camp equipage, quarters, medical attendance, &c.,	124 49

If anything more was needed to urge this subject upon the attention of the General Assembly it is furnished in the startling fact that in several Counties of the State the civil authorities have signally failed to ensure protection to life and property against a system of outrages carried on by disguised men at night, creating a reign of terror that is not only preventing persons from coming into the State but is actually driving many out. I will close by giving an extract from the very excellent report of the Adjutant General of New York, which applies with equal force to this State: "An organized militia though never arrayed for hostile action is a constant menace to the evil disposed. As the security of society exists in the law, so the law depends for its efficiency upon the power and certainty of its enforcement. What ensures this enforcement? Not the acquiescence of the entire people, for no law but has its protestants, and when the law contemplates the suppression of

crime all the evil and desperate elements of society are arrayed against it; nor is it the civil force of sheriffs and constables and police—these are successful because they are the mere skirmishers of the mighty and recognized power behind them. It is an organized military force armed with the most efficient weapons and acting in that disciplined harmony that awes by its suggestive irresistibility.”

Gen. Sherman says: “Now is the appointed time if ever, in our history, to place the militia of our country on a footing honorable and useful to thenation.”

Gov. Seymour said in one of his messages, “our State can only be made secure by arming, equipping and drilling our militia. If this is not done it will be a criminal neglect of the best interests, honor and safety of the State.”

I am, Sir,

Very respectfully,

Your obedient servant,

A. W. FISHER,

Adjutant General.

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Raleigh, Nov. 24, 1869.*To the Honorable, the General Assembly
of North Carolina :*

GENTLEMEN :—I learn that misapprehension exists in relation to that part of my last Annual Message in which reference is made to the Western Division of the Western Extension.

Nothing was farther from my purpose than to appear even to slight the Ducktown line of that Division, or to leave room for inference that the Ducktown line was not entitled to the same expenditures in proportion with the line to Paint Rock. I was simply looking in my Message to the nearest point of connection with the Mississippi valley. That point is Paint Rock, and hence the allusion which I made to it. In the very nature of things this line will be first completed, but this will not prevent the most energetic prosecution of the work on the Ducktown line. I regard the latter line as an exceedingly important one in many respects ; and so far as any power or authority that may be vested in me is concerned, I shall use it equally for the two lines mentioned. I am most anxious to see the Western Division completed, on the one hand to Ducktown and on the other to Paint Rock, and I feel sure that the

President and Directors of the Division are as fully determined, as they are certainly firmly bound, to do equal justice in their expenditures to the two routes mentioned.

I beg leave to repeat what I said in my Annual Message, that "the whole people of the State are committed in principle, in interest, and in feeling to the various works of internal improvement, whether completed or in course of construction. *All* our great works must be completed. We must go on. We cannot recede. We must pay the interest on our bonds, and thus keeping faith and at the same time putting our bonds at such a figure as they should command, the various Rail Road Companies can dispose of those they have in hand, realize the money for them, and press their works to completion."

I have the honor to be, gentlemen,

Very respectfully,

Your obedient servant,

W. W. HOLDEN,

Governor.

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

CLAIMS AGAINST THE STATE.

EXECUTIVE DEPARTMENT,
Raleigh, Nov. 22, 1869.

*To the Honorable, the General Assembly
of North Carolina :*

GENTLEMEN :—I beg leave respectively to submit herewith the following claims for your consideration :

The claim of Moses A. Bledsoe against the State for supplies furnished by him for the Insane Asylum of North Carolina, together with the papers on the subject.

The statement of the executors of Jonathan Worth, formerly Governor of the State, in relation to a claim for rent for the Executive Mansion.

I respectfully ask for these claims that favorable consideration to which in justice they are entitled.

Very Respectfully,
W. W. HOLDEN,
Governor.

STATE OF NORTH CAROLINA,

SUPREME COURT,

Raleigh, November 13th, 1869,

HIS EXCELLENCY, W. W. HOLDEN,

Governor of North Carolina :

SIR:—In obedience to the instructions of the Supreme Court, I have the honor to enclose herewith the papers in the case of Moses A. Bledsoe *vs.* The State of North Carolina.

Very respectfully,

Your obedient Servant,

WM. H. BAGLEY,

Clerk.

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[COPY.]

STATE OF NORTH CAROLINA, } ss. IN THE SUPREME COURT,
Wake County. } Jan. 15th, A. D. 1869.

MOSES A. BLEDSOE, plaintiff, *against* THE STATE OF NORTH CAROLINA, defendant.

The plaintiff above named, complaining of the defendant above named, alleges :

I. (1.) That between the 1st day of April, A. D. 1864, and the 2d day of August, 1864, at and in the County of Wake, the plaintiff sold and delivered to the corporation known and styled as the "Insane Asylum of North Carolina," eight hundred and fifty nine and one twelfth (859 1-12) cords of pine wood.

(2.) That the same was reasonably worth, at the several

dates when it was delivered, five dollars, in the gold and silver coin of the United States of America per cord.

(3.) That before the day and date last aforesaid, and on the 13th day of March, A. D. 1863, at and in the County of Wake, one Edward C. Fisher, who was then and there and also at the dates of the delivery of the wood last aforesaid, Superintendent of the Insane Asylum of North Carolina, had agreed for and in behalf of said corporation to pay the plaintiff, for said wood, when delivered, at the rate of twenty dollars per cord.

II. (1.) That between the 1st and 31st days of October, 1863, at and in the County of Wake, the plaintiff sold and delivered to the said corporation, the Insane Asylum of North Carolina, one hundred and ninety eight and one-eighth (198 1/8) barrels of corn.

(2.) That the same was reasonably worth four dollars and sixty-five cents in the gold and silver coin of the United States of America, per barrel.

III. (1.) That between the 14th and 31st days of October, A. D. 1864, at and in the County of Wake, the plaintiff sold and delivered to the said corporation, the Insane Asylum of North Carolina, nine hundred and two and one-third (902 1/3) bushels of sweet potatoes.

(2.) That the same was reasonably worth fifty-eight cents, in the gold and silver coin of the United States of America, per bushel.

IV. (1.) That on the 25th day of October, A. D. 1864, at and in the County of Wake, the plaintiff sold and delivered to the said corporation, the Insane Asylum of North Carolina, four hundred (400) other bushels of sweet potatoes.

(2.) That the same was reasonably worth fifty-eight cents, in the gold and silver coin of the United States of America, per bushel.

(3.) That on the day and date last aforesaid, at and in the County last aforesaid, the aforementioned Edward C. Fisher, who was then and there the Superintendent of the said corporation, the Insane Asylum of North Carolina, passed to this

plaintiff, as in payment of the indebtedness of said corporation for the four hundred bushels of potatoes last aforesaid, his, the said Fisher's written order, for and in behalf of said corporation, directed to the Treasurer of the North Carolina Insane Asylum, requiring him to pay to this plaintiff, or to his order, six thousand dollars.

(4.) That at and in the County of Wake, at the several dates hereinafter in that behalf set forth, the said Treasurer made to this plaintiff the following payments in Confederate currency :

On the 2d day of January, A. D. 1865, one thousand dollars.

On the 20th day of January, A. D. 1865, five hundred dollars.

On the 14th day of February, A. D. 1865, five hundred dollars.

On the 23d day of March, A. D. 1865, two thousand dollars.

(5.) That no other payments have ever been made to this plaintiff, by the said Treasurer, or by any one else, upon the said order for six thousand dollars.

V. (1.) That in or before the month of April, A. D., 1865, at and in the County of Wake, the plaintiff sold and delivered to the said corporation, the Insane Asylum of North Carolina, eighty-seven (87) barrels of corn, and thirty-seven (37) bushels of wheat.

(2.) That the said corn was reasonably worth six dollars per barrel, and the said wheat three dollars per bushel, in the currency of the United States of America.

(3.) That afterwards the said corporation, the Insane Asylum of North Carolina, made the following payments to the plaintiff, for and on account of the sums due him, by reason of the goods sold and delivered, as is hereinbefore last aforesaid :

Sixty and one-half bushels of corn, of the value of \$77.40.

Three hundred and fifty-four pounds of flour, of the value of \$21.24.

One pig of the value of \$5.

Five bushels of Irish potatoes of the value of \$4.

In all, goods and chattels to the amount of \$107.64.

VI. That the said corporation, the Insane Asylum of North Carolina, was at the several times when the contracts, hereinbefore alleged, were made, and hath hitherto continued, and now is a public corporation, and a mere political agent and instrument of State.

VII. That on the 16th day of March, A. D. 1866, at and in the County of Wake, it was, by the General Assembly of the State of North Carolina, enacted that from and after the 1st day of October, A. D. 1866, all dues to the Insane Asylum, from any and all sources, should be paid into the Public Treasury; and that the said Asylum should be supported from and after the expiration of the fiscal year, the current, by direct appropriation from the Public Treasury.

VIII. That the said corporation has no funds wherewith to pay this plaintiff the several sums of money due him by virtue of the premises; and the plaintiff hath frequently demanded payment of the said sums of money from the defendant, the State of North Carolina; and during the present session of the General Assembly of North Carolina, a Committee of the Senate, entitled a "Committee on Claims," hath reported to the Senate that said Committee "entertain no doubt but that the articles, (the same being the articles hereinbefore specified,) were furnished, and that Mr. Bledsoe has not been paid for the same, but this case is one of great complication and magnitude, and there is little probability of your Committee agreeing in any report; they therefore refer the whole matter back to the Senate and desire to be discharged from any further consideration of Mr. Bledsoe's claim."

(A copy of which report is herewith filed as an exhibit, marked "A.")

IX. That none of the said sums of money due the plaintiff by virtue of the premises, nor any part of any of the same, have ever been paid the plaintiff, either by the Insane Asylum of North Carolina, or by the defendant, the State of North Caro

lina, or by any other person or corporation, except as hereinbefore alleged.

Wherefore, the plaintiff prays judgment against the defendant, for the sum of five thousand eight hundred and thirteen dollars and thirty-eight and one-eighth cents, (\$5,813.38 1-8,) together with interest on \$921.28 1-8 thereof, from the 31st day of October, 1863; and with interest on \$4,291.41 1-3 thereof, from the 2d day of August, 1864; and with interest on \$77.33½ thereof, from the 25th day of October, 1864; and with interest on \$523.35½ thereof, from the 31st day of October, 1864, to be paid in gold and silver coins of the United States of America, or their equivalent in Federal currency, commonly known as greenbacks; and also for the sum of \$525.36, with interest thereon from the 30th day of April, 1865, together with the costs of this action.

And the plaintiff doth hereby respectfully request His Excellency W. W. Holden, Governor of North Carolina, to appear on behalf of the State, before the Supreme Court of North Carolina, and answer this claim within twenty days after the service of a copy of this complaint upon him, exclusive of the day of service.

(Signed)

FOWLE & BADGER,
HAYWOOD,

Attorneys for Plaintiff.

[COPY.]

STATE OF NORTH CAROLINA, }
Wake County. } ss.

Moses A. Bledsoe, the plaintiff above named, being duly sworn, says that the foregoing complaint is true, to his own knowledge.

(Signed,)

M. A. BLEDSOE.

Sworn and subscribed before me, this 15th day of January,
A. D. 1869.

(Signed,)

C. B. ROOT, Clerk,
Per JOHNSTON JONES,
Dep. Clerk Supreme Court.

[COPY.]

MOSES A. BLEDSOE, plaintiff, *against* THE STATE OF NORTH
CAROLINA, defendant.

In behalf of the plaintiff, Daniel G. Fowle is the person
upon whom, and the office of Fowle & Badger, on the Court
House square in the City of Raleigh, the place where, services
of notices and pleadings in this action is to be made. January
15th, 1869.

(Signed,)

FOWLE & BADGER,
HAYWOOD,
Plaintiff's Attorneys.

(COPY.)

STATE OF NORTH CAROLINA,

SUPREME COURT,
June Term, 1869.

MOSES A. BLEDSOE, plaintiff, *against* THE STATE OF NORTH
CAROLINA, defendant.

READE, Justice. The Constitution provides that, "The
Supreme Court shall have original jurisdiction to hear claims
against the State; but its decisions shall be merely recommend-
atory: no process in the nature of execution shall issue thereon

they shall be reported to the next General Assembly for its action." Article 4, Section 11.

In the 10th section, it is provided that "the Supreme Court shall have jurisdiction to review upon any appeal and decisions of the Courts below upon any matter of law or legal inference; but no issue of fact shall be tried before this Court."

Construing the two sections together, we are of the opinion that it was not contemplated, that when a claim is presented against the State, there shall be a "trial" of the facts in detail, but only that we should decide such questions of law as may seem to be involved, together with our own impression of the facts generally, so as to make our decision of the law intelligible. Especially must this be so, unless there shall be some legislation to enable us to find the facts in detail; for we have no jury, and if we had, it would be inconvenient and expensive to bring witnesses from all parts of the State; and depositions are always unsatisfactory. Probably the provision in the Constitution was induced by the consideration, that many claims would be presented, growing out of the events of the late war, and it was desired that they should have the consideration of the Court in aid of legislative action. We at first referred the facts to the Clerk, but his report was unsatisfactory; and we then ordered issues to be tried in the Superior Court by a jury, but we are not satisfied either with the rulings of his Honor or with the verdict of the jury. And, therefore, we state the facts generally as they appear to us from the complaint of the plaintiff, and the exhibits filed, and the evidence before the Clerk, and the statements at the Bar.

In March, 1863, the plaintiff, who was a Director in the Lunatic Asylum, entered into a written contract with E. C. Fisher, who was Superintendent of the Asylum, to deliver 3,000 cords of pine wood at \$20 per cord. The plaintiff now charges \$5 per cord in coin, or its equivalent, with interest from the time of its delivery. And he was allowed by the jury, under instructions from his Honor, \$7.50 per cord in the

present currency. There are several objections to allowing this charge.

(1.) The plaintiff was a Director for the Asylum in 1863 and 1864, and in that sense was its guardian, and the person with whom he contracted was Superintendent, and it does not appear, nor is there any allegation, that the Board of Directors was consulted, which would have been proper in so large a transaction.

(2.) It does not appear that there was any necessity for the contract. Indeed it appears that there was not; for, none of the wood was delivered until more than a year from the time of the contract, and the greater portion was **never** delivered at all.

(3.) There is no evidence that the wood was worth \$20 per cord at the time of the contract; and when evidence was offered by the State on the trial before the jury of the price at which wood was selling, the plaintiff objected to the evidence, and it was ruled out. And it appears from the plaintiff's own statement before the Clerk, that wood was not worth anything like what he charges; for, he states that he delivered the wood between April and August, 1864, and that "before some of it was delivered it was selling higher than \$20 per cord."

Now, at that time, Confederate money was twenty for one of coin; if therefore he had received Confederate money according to his contract, he would have realized but one dollar in coin; and yet he charges five. And, from his statement we infer, that even in 1864, when he began to deliver the wood, it was not worth \$20 per cord; because he says, that "*before some of it* was delivered, it sold for more than \$20." Now, if it was only worth \$20 in 1864, when Confederate money was twenty for one, it would only have been worth \$5 per cord in March, 1863, when Confederate money was only five for one.

(4.) The wood was to be delivered, not in Raleigh, but in Johnston County.

(5.) There was no time stipulated for the delivery. It was stated before us at the Bar by one of the plaintiff's counsel,

that he is now receiving in Raleigh, from a tract of land adjoining the plaintiff's in Johnston County, pine wood at \$2.50 per cord. And we are satisfied from this and other information, that \$2.50 per cord in Federal currency would be a full allowance to the plaintiff for delivering the wood in Johnston, instead of Raleigh.

Another item is for 198 barrels of corn in the Fall of 1863, at \$4.65 per barrel, in coin. There was evidence before the Clerk that corn was high at that time, and that individuals gave as much as \$1 per bushel in coin, and that the price in Confederate money was \$65 per barrel. We know that during the war *individuals* in some sections had great difficulty in getting corn at any price. But the State had facilities for getting corn which individuals had not. In the Eastern part of the State corn was abundant and cheap, and the State got large quantities and furnished the Counties, and we do not doubt that the *guardians* of the Asylum might have made an arrangement with the State upon much better terms than the plaintiff's. We are satisfied that \$5 per barrel in Federal currency would be a full allowance for the corn furnished in 1863, and \$6 per barrel for all the remainder of the corn.

The item of 902 bushels of sweet potatoes in October 1864, were furnished at the season for gathering them, and we think 75 cents per bushel in Federal currency a full price for them.

The item of 400 bushels about the same time were furnished at \$6,000 in Confederate money, and \$4,000 of the amount was paid, which settled for two-thirds of the 400 bushels, the other one-third, viz: 133 $\frac{1}{3}$ bushels, will be put at 75 cents per bushel.

The item for the wheat at \$3 per bushel in currency was not sold at all. It was *loaned* in December, 1864, to be paid out of the crop of 1865. There was evidence that wheat was worth \$3 at the time it was loaned but there was no evidence that the wheat of the crop of 1865 was worth \$3 per bushel. And we think that \$2 per bushel in Federal currency is a fair price for that.

The Clerk will make out a copy of the plaintiff's complaint, and a copy of this opinion, and an account of the items with the prices we recommend, and sum up the whole and deduct therefrom the sum of \$107.64, which the plaintiff has been paid, and add interest upon the remainder from the 1st day of May, 1865, until the 1st day of January, 1869, and transmit the same under the seal of the Court, and deliver the same to the Governor of the State, to be communicated to the General Assembly.

There is nothing in the character of the claim which is illegal. It is for fuel and provisions furnished for the Lunatic Asylum. The fact that they were furnished during the rebellion is nothing against them. The Asylum is an institution of mercy and charity, in no way connected with the war, and it is a sacred duty to maintain it under all circumstances.

It was decided by this Court in *Attorney General vs. Cape Fear Navigation Company*, 2 Ire. Eq., 444, that the State is not bound to pay interest unless there is a special contract to that effect. The contract in this case must be understood to have been made with reference to the law as it then stood. But because of the changes in, and the disturbed condition of the government, and because payment has been delayed for a long time, we recommend a departure from the rule so far as to allow interest from the end of the war, say 1st May, 1865, until 1st Jan., 1869, when the plaintiff presented his [claim] to the General Assembly. And we do not recommend interest after that time, because, if the plaintiff had presented a fair and reasonable claim, we are to suppose that it would have been allowed. The subsequent delay is by his own folly. And, for the same reason we allow him no costs, but order that he pay the cost of this suit. For stating the account herein directed, the Clerk will be allowed \$5.

STATE OF NORTH CAROLINA, }
SUPREME COURT. } June Term, 1869.

MOSES A. BLEDSOE, *against* STATE OF NORTH CAROLINA.

I hereby certify that the foregoing are true copies of the complaint of the plaintiff, and of the opinion of the Court in the above cause.

In witness whereof, I hereto set my hand and affix the seal of said Court, this the tenth day of November, [L. s.] in the year of our Lord, one thousand eight hundred and sixty-nine, and in the year of our Independence, the ninety-fourth.

WM. H. BAGLEY, Clerk.

STATE OF NORTH CAROLINA, }
SUPREME COURT. } June Term, 1869.

MOSES A. BLEDSOE, *against* THE STATE OF NORTH CAROLINA.

To the Honorable, the General Assembly of North Carolina :

In obedience to the order of the Court, in the above cause, I have the honor to submit the following statement of the "account of the items, with the prices," as recommended by the Court, to wit :

For 859½ cords of Wood, at	\$2 50 per cord,	\$ 2,148 75
" 198½ barrels of corn at	5 per barrel,	990 63
" 902½ bushels of potatoes at	75 per bushel,	676 75
" 133½ " " " 75 " "		100
" 87 barrels of corn at	6 " barrel,	522
" 37 bushels of wheat at	2 " bushel,	74
Total amount,		\$ 4,512 13
Credit by articles returned,		107 64
Balance of principal due,		\$ 4,404 49
Int. from May 1st, 1865, to January 1st, 1869,		968 98
Balance due, principal and interest,		\$ 5,373 47

All of which is respectfully submitted,

WM. H. BAGLEY, Clerk.

COMMUNICATION FROM THE EXECUTORS OF
GOVERNOR WORTH, DECEASED.

RALEIGH, NOVEMBER 16TH, 1869.

To the Honorable, the General Assembly of North Carolina :

The undersigned, Executors of the last will and testament of JONATHAN WORTH, deceased, deem it their duty to represent, to your honorable body, that during the term of office of their testator, as Governor of North Carolina, owing to the occupancy of the Executive Mansion by the Military authorities of the National government, a greater portion of the time, and the unfitness of the buildings and furniture for a residence the remainder of the time, he was not provided with a residence, as required by the law of the State. That, in view of this fact, the Legislature, at its session of 1866 and 1867, by resolution, ratified the 2d day of March, 1867, authorized the Executive to collect the rents which might be due the State from the United States government, for the use of the Mansion as mentioned, and to apply the sum collected to his own use.

Your petitioners are informed that their testator, during his term of office and afterwards, took steps to collect said rents, but was unsuccessful. The Post Quartermaster, at this place, approved and forwarded a bill for rent, but the claim, which, your petitioners believe, was justly due and owing to the State, was disallowed by the Quartermaster General. Death has put an end to any further efforts, on the part of their testator, in regard to the claim, and the undersigned feel it a sacred duty, as the legal representatives of the deceased, to present the matter for the consideration of your honorable body.

It seems to the undersigned that there can be no good reason, either in law or equity, why the State of North Carolina should not be entitled to just compensation for the use of its property by the National government; especially, when the property so used had not been occupied, during the late war, by the insurrectionary government for military purposes. And, it is believed, upon the proper representation of the facts, by the authorities of this State, the general government will so regard it, and will order the payment of the claim.

The law having required that the Chief Executive of the State should be furnished with "a convenient and commodious dwelling-house, &c.," at the Capital of the State, (see Revised Code, chapter 53, section 14,) and the Legislature having recognized, by the resolution above mentioned, the right of their testator to rents, during his term of office, for such "a dwelling-house," the undersigned would respectfully submit whether it would not be more in accordance with the justice and dignity of a great State to assume the collection of a claim so justly owing to it, and to order the payment of reasonable rent to the undersigned, as the legal representatives of the deceased, for the time he was in office.

In presenting this matter to your honorable body, the immediate representatives of the people, the undersigned beg to add that they are moved solely by a desire to discharge their duty to the heirs and creditors of the deceased, and that they submit the matter in full confidence that it will receive the consideration which its merits so justly demand.

All of which is respectfully submitted.

D. G. WORTH,
WM. H. BAGLEY,
Executors.

It seems to the undersigned that there can be no good reason, either in law or equity, why the State of North Carolina should not be entitled to just compensation for the use of its property for the National Government especially when the property so used had not been occupied during the late war by the Insurrectionary Government for military purposes. And it is believed upon the proper representation of the facts by the authorities of this State the General Government will assent to and will order the payment of the claim.

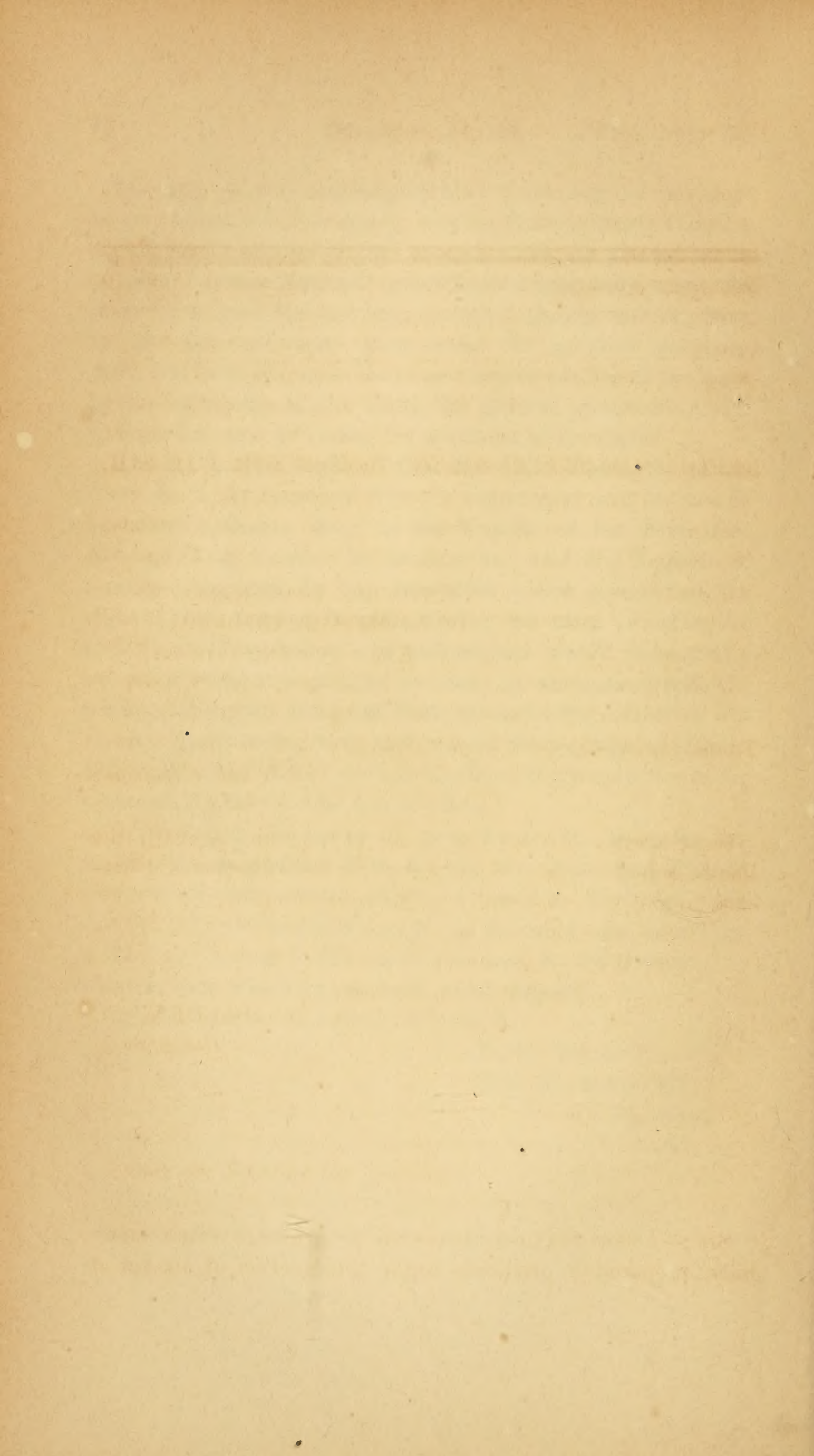
The law having required that the Chief Executive of the State should be furnished with "a convenient and commodious dwelling-house, &c." at the Capital of the State, (see Revised Code, chapter 38, section 11,) and the Legislature having recognized by the resolution above mentioned the rights of their President to reside during his term of office, for such a dwelling-house, the undersigned would respectfully submit whether it would not be more in accordance with the justice and dignity of a great State to assent to the collection of a claim so justly owing to it and to order the payment of reason-able rent to the undersigned as the legal representatives of the President for the time he was in office.

In presenting this matter to your honorable body the undersigned representative of the people, the undersigned begs to add that they are most anxious to see the National Government in the best and most efficient manner and that they believe the matter is of great importance and it will receive the consideration which it merits as a just demand.

Very respectfully submitted,

WILLIAM H. HARRIS,

Representative of the People.



DOCUMENT No. 13.]

[SESSION 1869-'70.

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

REPORT OF JACOB SILER, AGENT FOR THE COL-
LECTION OF CHEROKEE BONDS.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, Nov. 27, 1869.

*To the Honorable, the General Assembly
of North Carolina :*

GENTLEMEN :—I have the honor to transmit herewith the Bonds, report of Jacob Siler, Agent for the collection of Cherokee to which I respectfully invite your attention.

I have the honor to be,

With great respect,

Your obedient servant,

W. W. HOLDEN,
Governor.

AGENCY OFFICE, Oct. 29, 1869.

SIR :—I have the honor herewith to inclose to you a statement prepared in obedience to the 2nd section of an Act of

Assembly, passed January 27th, 1851, entitled An Act authorizing the transfer of books, bonds, &c., from the Treasurer's office to the Agent of the State for the collection of Cherokee bonds:

My total disbursements of bonds given for Cherokee lands during the fiscal year now ending, is			\$ 2,425 50
Commissions of 3 per cent. is			72 76
Leaving a nett liability of			2,352 74
Means as vouchers in this office are as follows:			
Credited Agents extra allowance,	\$404 70		
Advanced to J. D. Franks, as Treasurer of Macon County T. Road,	424 97		
Paid J. D. Franks, commissions on bonds taken by him for lands entered in Macon County,	38 56		
Advanced to M. B. Crisp, Chm'n of Board of Commissions of Cherokee County,	445 01		
Paid Daniel Green, commissions as E. T. for bonds taken by him for lands entered in Cherokee County,	4 84		
Advanced bonds to Clay County Commissioners,	869 32		
Paid S. H. Allison, E. T. of Clay County, commissions on bonds taken by him for lands entered in said County,	2 85		
Advanced bonds to J. L. Smith, President of Jonathan Creek and Tenn. Mountain T. R. in Haywood County,	122 36		
Paid order for work on Tuckaseege T. R. passing D. Hart's,	29 71		
Redeeming bonds, lands not obtained,	20		
			\$ 2,362 32
Liability from assets,			2,352 74
Leaving State due agent, in bonds,			\$ 9 58
State due Agent for commissions	\$ 28 88		

I hope to be able in the future to manage the business of

this office so as not to ask the State to pay my commissions, and I here express my very sincere thanks to the Legislature for paying my former commissions in currency.

I have the honor to be,

With great respect,

Your Excellency's obedient servant,

JACOB SILER,

Agent.

His Excellency, W. W. HOLDEN,

Governor of North Carolina.

REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE
IN RESPONSE TO A RESOLUTION OF THE HOUSE OF COMMONS
PASSED ON THE 11TH MARCH 1881

BY
ALFRED W. H. STUBBS, ESQ.,
SOLICITOR-GENERAL

LONDON:
PRINTED BY
HARRISON AND SONS, ST. MARTIN'S LANE.

1881.
[PUBLISHED BY ORDER OF THE HOUSE OF COMMONS.]

SECRETARY OF THE GENERAL LAND OFFICE

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REPORT OF THE TRUSTEES OF THE UNIVERSITY.

SECRETARY AND TREASURER'S REPORT.

RALEIGH, N. C. Nov. 15th, 1869.

*To His Excellency, Governor W. W. Holden, and the Board
of Trustees of the University of North Carolina:*

As the Secretary and Treasurer of the University I have the honor to submit the following report :

During the past fiscal year I have been diligently engaged in endeavoring to secure the debts due the University, which came into my hands from my predecessor in office, but I regret to say that but little has been accomplished. The larger portion of the debtors are insolvent, and some of them have gone into bankruptcy ; so that I have not been able to make collections or even secure, satisfactorily, the ultimate payment of the debts. Except in cases of known insolvency, I have placed the claims in the hands of attorneys for collection by suit, or have taken other measures to secure an early adjustment.

As early as practicable my attention was directed to the importance of appointing suitable agents to look after the interest of the University in escheated property, and accord-

ingly I have succeeded in securing for that purpose the services of competent persons in about sixty Counties in the State, and have furnished them with the necessary authority and instructions. It is believed that the interest thus sought to be protected is an important one, and that much benefit will result from the means now adopted with a view to its security. The agents appointed by me will doubtless discharge their duties with diligence and fidelity, but I take the liberty of suggesting that their efficiency will be greatly increased if every Trustee will feel it his duty whenever an opportunity offers, to aid them with his counsel and co-operation. Soon after taking charge of this office I opened a correspondence with the Hon. Robert R. Heath, of Memphis, in regard to the claim of the University to lands in the State of Tennessee. I have retained him as counsel to investigate the title of these lands and in all proper cases to assert and prosecute by suit, the just claims of the University. It is impossible now to say what will be realized from this source, but the well known professional zeal and ability of Judge Heath, furnish the best assurance that our interests will be safe in his hands.

Some ten or twelve years ago the University received from the estate of S. R. Oliveria, as escheated property, about four thousand dollars. A person residing or said to reside in Portugal, and claiming to be the next of kin of Oliveira, has instituted suit to recover this money. The suit is pending in Chowan County, and in the event of a recovery of the amount in controversy by the plaintiff, it will become necessary to make early provision for its payment. P. H. Winston, Esq., the counsel for the University, has advanced out of his own funds about one hundred and twenty dollars, to meet the expense incurred in taking depositions in Oporto, and it is obviously proper that he should be reimbursed with as little delay as possible.

It is already known to the Board that the Bank of North Carolina holds a claim against the University for \$35,712 68, and interest thereon, and that the late Board of Trustees on

the 30th of April, 1867, made a deed of trust to secure that and other debts said to be owing by the Institution. Proper measures have been taken to test the validity of the Bank debt and the deed made to secure it, and it is hoped that the question will be determined at an early day.

The Board of Trustees at their meeting on the 19th of November, 1868, expressed their disapprobation of the contract made by the former Board with Fisher, Boothe & Co., and G. F. Lewis, for the sale of the Agricultural Land Scrip, received by the State of North Carolina under the provisions of the act of Congress of July 2d, 1862. To carry out the policy so declared the Executive Committee, in April last, instructed me to proceed to Detroit, in the State of Michigan, where Fisher, Boothe & Co., resided, "for the purpose of instituting suit against the purchasers of the Land Scrip," with a view to a rescission of the contract. Immediately after the adjournment of the Legislature, I entered upon the duty assigned to me. On reaching Detroit I secured the services of professional gentlemen who had been recommended to me as at the head of the bar in that place. I laid before them a full statement of the case and took their opinion in writing, which upon my return I reported to the Executive Committee. Under the contract of the late Board, with Fisher, Boothe & Co., and G. F. Lewis, the Land Scrip was deposited in the National Bank of the Republic, in the City of New York, to await the consummation of the agreement and the payment of the purchase money. After the meeting of the Board of Trustees on the 19th of November, 1868, the Bank was warned not to deliver the Scrip and the purchasers were notified that the Trustees insisted upon the abrogation of the contract. On my return from Detroit I came through New York and called at the Bank of the Republic to make some inquiry in regard to the Scrip. I then learned that G. F. Lewis had, in the month of December, 1868, deposited in bank nearly the whole of the unpaid purchase money, and had drawn out Scrip of a corresponding amount. I came on immediately to the City of Washington, to prevent,

if possible, the recognition of the contract by the Government and authorities. I learned from the Commissioners of the General Land Office that the question of the receivability of the Scrip had been raised and presented to the late Secretary of the Interior who favored its reception, but before final action, "in the way of patenting," the matter had been laid before the Hon. J. D. Cox, the present Secretary, for his instructions for the government of the Land Office. I at once addressed a letter to the Secretary requesting him to suspend further action in the premises until our objections to the application of the claimants of the Land Scrip could be fully heard and considered. At the earliest possible moment I prepared a statement of the whole case and forwarded it to the Department, and shortly afterwards I was informed by the Commissioner of the General Land Office, by letter dated the 14th of June, that the Secretary of the Interior had made his decision, sustaining the view of the late Secretary, in favor of the receivability of the Land Scrip. My correspondence on this subject having been laid before the Executive Committee, I was authorized by a resolution passed July 14th, 1869, to receive from the Bank of the Republic the sum of \$125,000, or any other sum deposited in that Bank to the credit of, or in trust for the University under the contract with Fisher, Boothe & Co., and G. F. Lewis, and on the receipt of any sum not less than \$125,000, to release them and the Bank from all further liability from, or arising out of, the said contract; and by a subsequent resolution of the 22d July, I was directed to invest the money so received in bonds of the State of North Carolina, and to exercise a sound discretion in making the investment. Without delay I gave notice in writing to all the parties concerned, that the Trustees were now ready to execute the agreement made with the former Board, and to deliver the Scrip, upon the payment of the purchase money; and in reply, I received a communication from G. F. Lewis, proposing to meet me in New York, to conclude the business. At the time appointed, I proceeded to New York, and, after some delay, had

an interview with him. At the outset he interposed a difficulty in the settlement, which could not have been reasonably anticipated, by making a claim for an abatement in the contract price of the Scrip, on account of what he termed an advanced payment of \$100,000 in December, 1867. This claim was persistently urged by him, and as persistently refused by me. After much discussion, he consented to pay \$122,000, which I received, retaining in Bank thirty-six and a half pieces of the Scrip to secure the payment of the residue—and the Bank was instructed not to deliver the retained Scrip until the unpaid residue, amounting to \$3,000, should be paid in, to the credit of the University. I then made a demand upon the Bank for interest upon the amount paid in on account of the Land Scrip in December, 1867, of which they had given us no notice, until a very recent period. The Bank refused to admit the claim, or to agree to any terms of adjustment by arbitration or otherwise. These two questions, with G. F. Lewis and with the Bank are still unsettled, and I report the facts to the Board of Trustees, for such instructions as they may think most advisable to give.

My attention was next directed to the investment of the money, according to the directions of the Executive Committee; and after much consideration, and availing myself of all capable information, I invested the funds in North Carolina State bonds, as follows: 40 old State bonds of \$1,000 each, 40 new state bonds of \$1,000 each, and 160 special tax bonds of \$1,000 each; making in the whole 240 State bonds of \$1,000 each. The bonds have been deposited for safe custody in the Raleigh National Bank, where they are subject to the order of the Board.

Annexed hereto is a full statement of the accounts and assets of the University, and also the receipts and disbursements showing the amount received from the Bank of the Republic, and the amount invested in North Carolina State bonds.

In conducting the important business in regard to the Land

Scrip committed to my charge, I have spared neither time nor labor, my undivided attention having been devoted to it for several successive weeks; and whilst I have not done all that I desired to do, I yet venture to hope that the accomplished results will not be unacceptable to the Board.

Before the appointment and organization of a Faculty at the University, it was deemed important to keep a guard there, for the protection of the buildings and other College property. Since then the services of the guard have been discontinued. One of the College buildings was in a state of rapid decay, and it was found necessary to re-cover it. I have procured copies of the title deeds for the lands belonging to the University in and around Chapel Hill, and I design, as early as practicable, to have the boundaries established, so that all subjects of controversy with co-terminous proprietors may be avoided, and we may be better able to protect the lands from invasion or depredation.

I invite the attention of the Board to the fact that there are some debts owing by them, for the payment of which provision ought to be made as soon as possible. Among these may be named the debts owing to the former Professors, to the estate of Gov. Swain, and to P. H. Winston. A certain class of claims was set apart by the former Board for the payment of Professors, but nothing has hitherto been realized, and it is to be feared that but little will ever be realized from this source.

For the purpose of paying these debts and meeting other pressing needs, it is respectfully suggested whether it is not advisable to convert into cash the Wilmington City bonds and the Virginia State bonds now held by the Board.

The report of Professor Brewer, Librarian of the University, is hereunto annexed.

Dr. *R. W. Lassiter, Secretary and Treasurer, in account*

1868.				
Nov.	11	To amount on hand,	\$	1,417 ⁵⁸
		To loan from Superintendent of Public Instruction,		6,000
		To amount received from sale of Land Scrip,		122,040
		To interest on Wilmington City bonds,		231
		To note and interest of E. Cantwell,		75 ¹¹
1869.				
June.	19	To amount deposited by R. W. Lassiter,		330
		To " " " " " "		120
Oct.	22	To proceeds of loan for \$1,200,		1,168
Amount forward,				\$ 131,381 ⁶⁹

with the Board of Trustees of the University of N. C. CR.

1868.			
Nov.	27	To J. H. Mills,	\$ 3
	28	To C. L. Harris,	294 65
	25	To W. N. Harris,	120
Dec.	1	To E. Cantwell, [\$52.89 paid)	128
	16	To W. N. Harris,	120
1869.			
Jan.	7	To Cantwell & Haywood,	200
	7	To W. N. Harris,	120
	14	To A. Miller, P. M.,	7
	28	To A. W. Shaffer,	4
Feb.	19	To C. L. Harris, Superintendent of Public Works,	336
April	2	To John T. Ball,	5
	7	To West. Union Telegraph Co.	3
	9	To S. D. Wait, N. P.,	1
	8	To West Union Telegraph Co.,	3 80
	12	To self for expenses to Detroit, including council fees,	500
	12	To C. L. Harris, Superintendent of Public Works,	221 73
	28	To R. J. Powell,	50
May	3	To E. G. Haywood, Attorney,	500
	15	To West. Union Telegraph Co.,	1 25
	13	To Professor T. P. Brewer,	200
	"	To B. W. Starke,	5 20
	"	To Professor D. S. Patrick,	200
	"	To Professor Jas. A. Martling,	200
	14	To C. J. Rogers, P. M.,	15
	13	To Professor A. McIver,	200
	16	To self on account of salary,	200
June	9	To " " "	250
	18	To Professor J. A. Martling,	300
	"	To Professor F. P. Brewer,	300
	"	To Professor D. S. Patrick,	300
	"	To Professor A. McIver,	300
	"	To C. L. Harris, Superintendent, etc.,	200
	19	To R. W. Lassiter, Secretary, salary 1 year,	1,000
	21	To S. D. Waitt,	2
	23	To J. B. Neathery & Co.,	68 30
Amount forward,			\$ 6,358 93

with the Board of Trustees of the University of N. C. CR.

1869.		Amount forward,	\$ 6,358 93
June	24	To Professor D. A. Patrick, Bursar,	226 19
July	5	To C. L. Harris, Superintendent, etc.,	250
	14	To J. B. Neathery & Co.,	13
	23	To C. L. Harris,	200
Aug.	16	To self, expenses to New York,	100
Sept.	6	To C. A. Stetson's Sons,	100
	11	To " "	100
	20	To " "	100
Oct.	14	To C. L. Harris, Superintendent, etc.,	350
	22	To F. P. Brewer, Professor, etc.,	200
	"	To A. McIver, "	200
	"	To D. S. Patrick, "	300
	"	To Jas. A. Martling, "	300
		To 240 North Carolina bonds of \$1,000 each,	120,441 67
Nov.	17	To balance on hand,	2,141 90
			<hr/>
			\$131,381 69

BONDS, ETC., ON HAND.

Six North Carolina State Bonds, payable in Confederate money, each \$1,000,	\$	6,000
22 City of Wilmington Bonds, each \$100,		2,200
Bond of John E. Baker, due October 12th, 1860,		1,500
2 Bonds of F. M. Hubbard, with sundry credits,		2,756 02
Bond of W. W. Whitehead, with interest from October 1st, 1860,		270
2 North Carolina State Bonds, (interest,)		200
Certificate of Public Treasurer,		70
Bond of N. L. Williams and others, with interest from April 9th, 1861,		2,000
Bond of S. H. Rogers and others, with interest from April, 1860,		2,000
Note of L. T. Clayton, (Conf., subject to scale,)		150
Note of S. M. Parish & Williams, (Confederate, subject to scale,)		500
Bond of G. T. Hanson and Smedes, (Confederate, subject to scale,)		250
Bond of P. H. Donaley, (Conf., subject to scale,)		1,000
Bond of J. B. Franklin, (Conf., subject to scale,)		600
240 North Carolina State Bonds, each \$1,000,		240,000
There are 33 Wilmington City Bonds, of \$100 each, remaining in the hands of the late Secretary and Treasurer, as an indemnity against his liability as surety for the University upon a premium Bond to the North Carolina Fire Insurance Company, for insurance of the University buildings, and which bonds are not charged above,		3,300
There are in the hands of the Superintendent of Public Instruction 1 Virginia State Bond of \$10,000, and 2 Virginia State Bonds of \$600 each, which are hypothecated to him for a loan of \$6,000, and which are not charged above,		\$11,200
There are also in the Bank of Republic, in New York, 36½ pieces of Land Scrip.		

Respectfully submitted,

R. W. LASSITER,

Sec. and Treasurer.

REPORT OF AUDITING COMMITTEE.

RALEIGH, Nov. 19th, 1869.

The Committee appointed by the Trustees of the University at their regular annual meeting on the 16th of November, 1869, to audit the Accounts of the University of North Carolina for the last fiscal year, have examined and compared the accounts and vouchers for the past year, and have found proper vouchers for the disbursements by him, during that time.

We invite attention to the Reports of the Secretary and Treasurer, the Professors of the University, and also to the interesting and useful Report of the efficient Superintendent of Public Instruction.

Respectfull submitted,

C. H. BROGDEN,
J. W. ETHERIDGE,
S. S. ASHLEY,

Committee.

PRESIDENT'S REPORT.

CHAPEL HILL, Nov. 12, 1869.

*To the Honorable the Board of Trustees of the
University of North Carolina:*

The Faculty respectfully report that the following young gentlemen are at present connected, as students, with the University:

Messrs.	W. V. ANDREWS,	Orange	County,
	A. J. BANKS,	Wake	"
	G. W. BANKS,	Wake	"
	W. C. BROOKS,	Pasquotank	"
	J. CROWDER,	Wake	"
	C. J. DORLAND,	Cabarrus	"
	W. H. GATTIS,	Orange	"
	W. H. GUTHRIE,	"	"
	J. J. HOWELL,	"	"
	J. D. HUTCHINS,	"	"
	S. C. LLOYD,	"	"
	W. P. LYON,	Granville	"
	G. W. McIVER,	Orange	"
	W. MERRITT,	"	"
	G. W. NASH,	Chatham	"
	F. A. OLDS,	Wake	"
	J. P. OVERMAN,	Pasquotank	"
	W. F. POOL,	"	"
	G. W. PUREFOY,	Orange	"
	H. SLATER,	Wake	"
	C. SUGG,	Orange	"
	E. J. SUGG,	"	"
	J. TENNY,	"	"

Messrs.	O. B. TENNY,	Orange	County.
	L. J. WEAVER,	"	"
	W. C. WEAVER,	"	"
	W. D. WHITTED,	Henderson	"
	J. Q. A. WOOD,	Pasquotank	"

They are pursuing the following studies: Whateley's Rhetoric, Quackenbos' Rhetoric, Davies Legendre, Robinson's University Algebra, Tragedy of Alcestis, Demosthenes, Xenophon's Anabasis, Odes and Satires of Horace, Virgil's Georgics and the Holy Scriptures.

Instruction is also given in the Preparatory and Normal Departments, in Geography, Arithmetic and the Grammars of the English, Latin and Greek languages.

Lectures have also been delivered by the Faculty, to whole body of the students, embracing the following subjects: Theory and Practice of Teaching, Constitution of the United States, Astronomy, Philosophy and Physiology.

The Faculty have endeavored to make their instruction as thorough as possible, and to elevate the standard of scholarship in the Institution. There is only one young gentleman, among the students at present who was connected with the University prior to and at the time of its suspension in 1868. He had at that date completed the entire course in the Sophomore Class, and had been approved in all, and distinguished in some, of his studies. He is at present a member of the Sophomore Class, and is pursuing his studies with the same industry and success that marked his career while under the tuition of his former instructors.

While there have been some instances of impropriety and disorder, still the Faculty take pleasure in stating that for the most part, the students have applied themselves with commendable diligence, and their general deportment has been marked by becoming politeness and gentility. As an evidence of the care and thoughtfulness on their part the report of the Bursar will show that there has been little or no damage heedlessly done

to the College property. It is believed that in this respect the history of the Institution during the present year will compare favorably with the past. Many of the young gentlemen are pious and some of their number have made a profession of the Christian religion during the present session. The method of discipline pursued has been, as far as possible, an occasional lecture to the classes upon the subject of their relations and duties, and private advice and counsel by the President or some other member of the Faculty.

The Faculty are also happy to be able to report that the health of the students has been good. There has been no case of severe or protracted illness.

The report of the Librarian shows an increase in the number of volumes in the Library. The following donations have been made during the present year to the first day of November instant :

CONTRIBUTORS.	Vols.	Pamp.
From Prof. James D. Dana, Yale College,	23	
" Mrs. D. C. Collins and W. L. Kingsley, Esq., New Haven,	24	
" Prof. D. C. Gilman, Yale College,	20	
" Col. T. P. Johnston, Raleigh,	1	
" Prof. W. J. Palmer, Raleigh,	5	16
" Rev. G. W. Purefoy, Chapel Hill,	1	
" Mr. Samuel Hayes, New Haven,	17	
" Rev. J. Brewer, Stockbridge, Mass.,	9	
" Mr. Addison Van Name, Librarian, Yale College,		19
" President Wm. S. Clark, Massachusetts Agricultural College,	3	
" Mr. H. D. Coley, State Librarian, Raleigh,	2	4
" Jos. R. French, Esq., Stockbridge, Mass.,	6	
" Hon. H. J. Menninger, Raleigh,	5	
" A. B. C. Foreign Mission, Boston,		22
" Mrs. J. M. Brewer, Chapel Hill,	26	
" Hon. S. S. Ashley,	2	

CONTRIBUTORS.

		Vols.	Pamp.
From	Rev. John G. Baird, New Haven,	1	
"	Prof. F. P. Brewer, Chapel Hill,	18	2
"	State Library of South Carolina,	1	1
"	Navy Department, Washington, D. C.,	1	
"	John B. Neathery, Esq., Raleigh,		1
"	Hon. G. W. Stanton, Stantonsburg, (Confederate Journal,)	3	1
"	Moses H. Sargent, Esq., Boston,	21	
"	Gen. M. S. Littlefield, Raleigh, (D'y Standard),		

The Faculty respectfully invite the Trustees and friends of the University to a careful examination of its management.

Respectfully submitted,

S. POOL, *President*.

LIBRARIAN'S REPORT.

UNIVERSITY OF NORTH CAROLINA,
September 17th, 1869.

To the Executive Committee :

GENTLEMEN :—On being appointed Librarian of the University last March, I counted 6,540 books in the Library.

Over one hundred and fifty have been received since, by donation, mostly as the result of personal solicitation.

The Library seems to have been almost useless of late years in the work of the University.

One reason may have been that it had been moved from the building erected for it in 1850 into a third-story room of the Old East, a place thought to be more secure from thieves and burglars, yet certainly at the same time inaccessible in case of fire. The books now being restored in accordance with what is understood to be your wish.

The laws required the Library to be open for delivering books one hour a week. This is too little time to be of much service. We hope to have it open an hour daily.

The Library, moreover, has not been kept up with the times. Some ten years ago it was enlarged in the department of natural science by the acquisition of Prof. Mitchell's books, the only important addition since Dr. Caldwell's purchases in 1825.

But, however, large the Library—(and ours is not large)—there should be constant purchases, so far as funds will permit, of books not on hand which the Professors need for their studies. In this way the Library not only gives assistance to the Faculty and through them to the rest of the University, but those books are obtained which are on the whole of the greatest value to this particular Library.

I quote the following sentences from past communications to your body :

Dr. Caldwell,

"A Professor in a College who is without books in tolerable supply, is analogous to the creation of nobility which for want of estate is obliged to live in rags. What is to be understood by a standing Professorship in a College, if it be not that he who occupies it, is to employ his whole time and his utmost diligence in the extension of his knowledge by the examination and study of the multitude of authors who have written on the subjects upon which it is his business to teach and deliver lectures."

Hon. B. F. Moore,

"The Professors have in some instances supplied the means of instruction in their own departments, by most inconvenient draughts upon private resources."

Prof. Elisha Mitchell,

"The one particular in which our inferiority is most glaring and palpable is the want of what has of late been called the 'material' of science and literature. Nothing about the University of North Carolina will strike an intelligent stranger who has been making public schools an object of attention, as so little creditable to us as this part of our establishment. Books are continually published in the different departments of science and learning which the Professors must have, and without which the Library of the University cannot be respectable, and which, therefore, it seems proper that the Trustees should purchase."

Fully adopting the above sentiments, I would respectfully request an appropriation for the Library of two hundred and fifty dollars for the current year, reckoning about \$100 for binding, postage and miscellaneous expenses, and \$150 for such books and periodicals as the Professors wish to aid them in their studies—the purchases to be made by the President and Librarian.

Respectfully submitted,

FISK P. BREWER,
Librarian.

BURSAR'S REPORT.

UNIVERSITY OF NORTH CAROLINA,
Chapel Hill, N. C., Nov. 12, 1869.

*To the Hon. Board of Trustees of the
University of North Carolina:*

GENTLEMEN:—I respectfully beg leave to submit the following report, embracing the amount of expenditures for the benefit of the University, for the term commencing March 3d, and ending November 16th, 1869.

1869.	Wages due 3 servants at \$12.40 per month to June 17th,	\$ 131	25
March.	To Wm. Hogan, 1 spade,		1 50
	" Carr, Freeland & Co., 1 blank book for Bursar,		1 50
	" Carr, Freeland & Co., 4 rakes,		4 75
	" " " " 14 pounds nails,		1 20
	" " " " 2 hoes,		2
	" " " " 1 pruning knife,		1
	" " " " 1 tub,		1 75
	" " " " 2 buckets,		60
	" " " " 2 bags,		25
	" Jordan Swain, repairs on College,	20	
	" Henry Weaver, work on College wall and Prof. Patrick's house,	4	50
	" Andy King, 2 loads of wood for College,	2	
April.	" Prof. McIver, repairs on lot,	12	14
	" J. A. Martling, repairs on house,	32	75
	" Sam. Morphis, use wagon and team 3 days,		9
		\$ 226	19

	Amount brought forward,	\$ 226 19
June.	" Wages due to servants to Nov. 16th,	177 37
July.	" Suggs & Co., for brooms,	1 55
	" Long & McCauley, 1 hand-saw,	1 75
	" " " " 1 hatchet,	1 25
	" Jordan Weaver, 4 days work at College,	3
	" Long & McCauley, 2 water buckets,	60
	" " " " 2 well buckets,	2 50
Aug.	" Jordan Swain, repairs on College,	30
	" Henry Weaver, repairing College wall,	1 25
Oct.	" Sam. Morphis and Ed. Kerby, hauling,	2 25
	" Thos. Cates, 1 wheelbarrow,	3
	" Henry Weaver, $3\frac{1}{2}$ days' work,	2 75
Sept.	" Carr, Freeland & Co., 3 doz. screws,	75
	" " " " 4 pair chains,	4 50
	" " " " 1 pitchfork,	1 50
	" " " " 1 mowing blade,	1 25
	" Henry Weaver, work on College wall,	3
	" Carr, Freeland & Co., 1 swath,	75
	" " " " 1 whet-rock,	10
	" John Husky, 2 mattocks, 2 buckets and chain,	4 05
Sept.	" Frank Harris, repairs on Professor Patrick's house,	33 31
	Making in all a total sum of	\$ 502 67
	Of which amount there has been paid	\$ 226 19
	Leaving a balance due of	\$ 276 48

Upon assuming the duties of my office as Bursar of the University in March, 1869, I regret to state that I found the property in very bad condition. A considerable portion of the Philosophical apparatus I found to be badly injured and totally unfit for use. A few very fine and costly Mathematical and Astronomical Instruments were then and still are useless. The Chemical department had been considerably injured owing to the leaky condition of the building and carelessness in not having the doors properly secured.

My predecessor in office, Prof. Fetter, left no books or

records of his administration by which I could ascertain the amount or kind of property belonging to the University. I have been informed that at the time of the suspension of exercises, the opinion prevailed in Chapel Hill that the University property belonged to the people. It is not surprising, therefore, that some laboring under this pleasing impression, should have been guilty of theft. Books were taken from the Libraries and all working utensils used about the College Campus were stolen. Some have returned property with the request that "no questions should be asked;" while others still retain property under the impression that "something may yet turn up."

I am pleased to state, that the injury sustained by College property at the hands of the students during the year, has been of such trivial nature as to be deemed unworthy of mention.

I would respectfully suggest that Prof. Fetter be again requested to turn over all books, papers, and other property belonging to the University, and that the rights, titles and claims of certain parties now holding houses and lots in Chapel Hill, be investigated. The parties claim said lands by right of purchase from the former Board of Trustees, but are unable to produce any deeds, titles or receipts for the same.

In conclusion, I would respectfully suggest that some provision be made in order that I may be able to pay servants' hire and other incidental expenses of College, without being compelled to give orders to the different merchants in the village.

All of which is respectfully submitted.

DAVID S. PATRICK,

Bursar.

UNIVERSITY PLAN.

*To the Honorable, the Board of Trustees of the
University of North Carolina :*

GENTLEMEN:—The Committee appointed to report a permanent plan of instruction for the University, respectfully submit the following :

A University is an assemblage of Colleges. Some of the leading features of what is commonly called the "University System," are the prominence given to instruction by lecture ; the free choice of studies, or elective plan ; the privilege of graduation in any particular department, or school ; and the independent character of the schools. In order to constitute the University of North Carolina, in reality, what it only is in name, the following plan is proposed :

That the University embrace the following colleges, each of which is divided into several schools or departments of study under the immediate government of a Professor, with as many assistants as may be necessary ; and that in each of these schools there be one or more classes.

I. *College of Literature and the Arts ;* with the following schools :

1. Intellectual and Moral Philosophy.

Instruction in this school is given in Mental Philosophy ; Logic ; Ethics ; Evidences of Christianity.

2. English Language and Literature.

This school is divided into two classes—

Junior Class is taught Composition, Elocution, Rhetoric.

Senior Class—English Literature, Art Criticism, with Theses, Orations and exercises in extemporaneous speaking.

3. History and Political Economy.

This is divided into two classes—

Junior Class study Ancient and Modern History.

Senior Class—Political Economy and Constitution of United States.

4. Mathematics and Natural Philosophy.

This school contains two branches.

2. Pure Mathematics. (2.) Mixed Mathematics.

(1.) Pure Mathematics.

In this branch are two classes.

Junior Class studies Algebra and Geometry.

Senior Class, plane Trigonometry, with its applications to Mensuration, Surveying and Navigation ; Spherical Trigonometry ; Analytics and Calculus.

(2) Mixed Mathematics.

In this branch are taught Natural Philosophy and Astronomy.

5. Latin Language and Literature.

This school is divided into two classes—

Junior Class reads Virgil, Terrence, Sallust and Cicero, or their equivalents.

6. Greek Language and Literature.

This school is divided into two classes—

Junior Class reads Xenophon, Herodotus, Homer, Demosthenes ; or their equivalents.

Senior Class, Thucydides, Sophocles, Euripides and Plato ; or their equivalents.

7. Modern Languages and Literature.

This school is divided into two classes—

Junior Class studies French and German.

Senior Class, Spanish and Italian.

8. Chemistry.

This school is divided into two classes—

Junior Class is taught Chemical Physics and Inorganic Chemistry.

Senior Class Organic Chemistry, Mineralogy, Mining and Metallurgy.

9. Natural History.

This school is divided into two classes—

Junior Class is taught Botany, Anatomy, Physiology and Hygiene.

Senior Class, Geology, and Zoology and Palaeontology.

Before entering a school of any of the Colleges, the applicant must pass an approved examination before the Professor of that school, upon the prescribed course of studies.

A student may graduate in any one of the schools and receive a diploma signed by the Professor of that school.

Certificates of Proficiency in certain branches will also be given, *e. g.* in Botany, of the school of Natural History; or Rhetoric, of the school of English Literature, &c.

A graduate of the first six, with either of the last three schools, may become a candidate for the University Degree of *A. B.* in this College.

A graduate of all the schools, for the University Degree of *A. M.*

II. *College of Philosophy:*

1. Intellectual and Moral Philosophy, (same course as in College, I.)

2. English Language and Literature, (same course as in College, I.)

3. History and Political Economy, (same course as in College, I.)

4. Mathematics and Natural Philosophy, (same course as in College, I.)

5. Chemistry, (same course as in College I.)

6. Natural History, (same course as in College I.)

7. Latin Language and Literature, (same course as in College I.)

8. Modern Languages and Literature, (same course as in College I.)

9. Engineering.

This school is divided into two classes—

Junior Class studies Descriptive Geometry, Mechanical and Topographical Engineering.

Senior Class—Building, Architecture, and Practical Mechanics, with use of work-shops.

The graduate in the first six, with either of the last three schools, may become a candidate for the University Degree of *Ph. B.*, (Bachelor of Philosophy,) in this College.

The graduate in all the schools, for the Degree of *Ph. D.*, (Doctor of Phil.)

III. *College of Science and the Arts.*

1. Intellectual and Moral Philosophy, (same course as in College I.)

2. English Language and Literature, (same course as *Junior Class* in College I.)

3. Mathematics and Natural Philosophy, (same course as in College I.)

4. Chemistry, (same course as in College I.)

5. Natural History, (same course as in College I.)

6. Engineering, (same course as in College II.)

7. Modern Languages and Literature, (same course as in College II.)

8. Latin Language and Literature, (same course as in Junior class, College I.)

9. History and Political Economy, (same course as in College I.)

10. Military Science.

The graduate of the first seven, with either of the last three schools, may become a candidate for the University Degree of *S. B.* in this College.

The graduate in all the Schools, a candidate for the University Degree of *S. M.*

IV. *College of Agriculture and the Mechanic Arts.*

1. Intellectual and Moral Philosophy, (same course as in College I.)

2. English Language and Literature (same as Junior Class, College I.)

3. Political Economy, (same as Senior Class, College I.)

4. Mathematics and Natural Philosophy, (same as College I, omitting higher Pure Mathematics.)

5. Chemistry, (same as College I.)

6. Natural History, (same as in College I.)

7. Agriculture. This School is divided into two classes:

Junior Class is taught Agricultural and Economic Botany; Agricultural Chemistry; Horticulture; Arboriculture; Landscape Gardening; with exercises and practice on Model Farm.

Senior Class, Agricultural Chemistry; Agricultural Geology; Agricultural Technology; Agricultural and Rural Economy; with exercises and practice on Model Farm, and in Workshops.

8. Modern Language, (same as Junior Class, College I.)

9. Building and Architecture, (same as Senior Class, College II.)

10. Military Science.

11. Book-keeping and Commerce. In this School are taught Penmanship; Business Forms, (as Invoices, Receipts, Checks, Commercial Correspondence, &c.; Book-keeping, (as Single and Double Entry, Posting, Balancing, &c.) and Commercial Law.

The graduate in the first seven, with either of the last four schools, may become a candidate for the University Degree of *B. S.*, in this College.

The graduate in all the schools, may become a candidate for the University Degree of *M. S.*

V. *Business and Commercial College.*

1. Intellectual and Moral Philosophy, (same as in College I.)

2. English Language and Literature, (same as in College I.)

3. History and Political Economy, (same as in College I.)

4. Mathematics, (same as Pure Math. of College I, omitting higher branches.)

5. Modern Languages, (same as College I.)

6. Chemistry, (same as *Junior Class* College I.)

7. Book-keeping and Commerce.

This school is divided into two classes—

In *Junior Class*, the instruction is identical with that in College IV.)

Senior Class is taught Book-keeping ; Legal Forms ; Banking, and Commercial Law.

The graduate in all the schools may become a candidate for the University Degree of *B. A.* in this College.

VI. *Normal College*—with following Departments :

1. Intellectual and Meral Philosophy.

2. Theory and Practice of Teaching—including school Government, Principles of Education ; School Economy, &c.

3. English Language and Literature.

4. History and Political Economy.

5. Elementary Chemistry.

6. Natural History—Physiology, Hygiene, Anatomy, &c.

7. Mathematics.

(1.) Pure—Arithmetic, Algebra, Geometry and Trigonometry.

(2.) *Mixed*—Elementary Astronomy ; Physics.

8. Geography—Physical, Political and Mathematical.

9. Book-keeping and Commerce.

The graduate in these departments may become a candidate for the University Degree of *B. A.*, in this College.

VII. *College of Law.*

1. School of Common and Statute Law.

2. School of Evidence, Pleading and Practice.

3. School of Equity, and Constitutional and International Law.

The graduate of this College may become a candidate for the University Degree of *L. L. B.*

VIII. *College of Medicine.*

It is recommended that no steps be taken at present to organize this College.

IX. *Colored Department.*

To have a Principal with as many assistants as may be necessary ; Model Farm, Work-shops, &c. To contain the following departments :

1. Ethics and Normal Instruction.
2. English Language, History, Geography and Political Economy.
3. Mathematics and Sciences.
4. Ancient and Modern Languages.
5. Agriculture, Theoretical and Practical.

X. That there be one session of nine months' duration.

XI. The Colleges of *Science and the Arts*, and of *Agriculture and the Mechanic Arts*, to be organized and put into operation at once. Those of *Literature and the Arts*, of *Philosophy*, the *Business and Commercial College*, the *Normal College*, and the *College of Law*, as early as possible.

XII. That instruction be by—

1. Ordinary mode of questions and answers.
2. Daily Lectures.
3. Special Course of University Lectures.

XIII. That in addition to the regular University Degrees, the Honorary Degrees of *D. D.* and *L. L. D.* may be conferred as heretofore.

Respectfully submitted,

S. S. ASHLEY, *Chm'n.*

REPORT OF COMMITTEE ON COLORED DEPARTMENT.

— —

The Executive Committee having been appointed to examine property, to be purchased and used for a department of the University for colored pupils, would respectfully report,

That on account of the failure of the General Assembly to revise the charter of the University, and so enlarge the powers of the Trustees as to authorize the establishment of a department for colored students ;

Also being ignorant of the amount of funds at the disposal of the Trustees for this purpose ; and

Also realizing the pressing necessity of establishing forthwith said department, the Committee recommend,

That when the charter shall have been revised and the powers of the Trustees enlarged as aforesaid and the requisite funds shall be availed, Committee is authorized to purchase such property as they shall deem appropriate at a price not to exceed dollars, and proceed to organize the department for colored pupils.

S. S. ASHLEY, *Chm'n.*

REPORT OF COMMITTEE ON COLORED DEPART-
MENT

The Executive Committee having been appointed to exam-
ine property to be purchased and used for a department of the
University for colored people, would respectfully report.
That on account of the failure of the General Assembly to
revise the charter of the University, and re-vest the powers
of the Trustees as to authorize the establishment of a depart-
ment for colored students;
Also being ignorant of the amount of funds at the disposal
of the Trustees for this purpose, and
Also realizing the pressing necessity of establishing forth-
with said department, the Committee recommended
That when the charter shall have been revised and the
powers of the Trustees enlarged as allowed, and the requisite
funds shall be available, Committee is authorized to purchase
such property as they shall deem appropriate at a price not
to exceed \$10,000, and to proceed to organize the depart-
ment for colored people.

E. S. ASHLEY, Chairman.

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

REPORT FROM THE SPECIAL COMMITTEE AP-
POINTED TO INVESTIGATE THE AFFAIRS OF
THE ALBEMARLE & CHESAPEAKE CANAL COM-
PANY.

*To the President of the Senate, and
Speaker of the House of Representatives :*

Your Joint Committee to investigate the affairs of the Albemarle & Chesapeake Canal Company, respectfully report :

That in obedience to the appointment of the Chairman of the Committee, they meet in the City of Norfolk, Va., on the 15th of May, 1869; on the 17th, they (through their Chairman) addressed to Marshall Parks, President of the Company, the following letter :

NORFOLK, May 17, 1869.

TO MARSHALL PARKS, ESQ.,

Pres. of the Albemarle and Ches. Canal Co.:

SIR:—The Committee appointed by the General Assembly of North Carolina to investigate the affairs of your Company, will hold their meetings at the office of K. R. Cobb, one of the Directors of the Company, in the Custom House in this City.

The Committee request that you meet them at 10 o'clock to-morrow, and bring with you copies of the annual reports of

the President and Directors of the Company from its organization to the present time; also copies of all the contracts for the construction and repairs of the canal.

Very respectfully,

C. L. HARRIS, Chm'n.

To which request Mr. Parks, without appearing in person, returned answer as follows:

OFFICE OF THE ALBEMARLE & CHES. CANAL Co.
Norfolk, Va., 17th May, 1869.

C. L. HARRIS, Chm'n.

SIR:—In reply to your communication of this date, I would suggest the Committee would visit the Company's office where any information desired could be more readily obtained.

I send herewith copies of all annual reports of the Company since its organization. I have no printed copies of the contracts for the construction or enlargement of the Canal, they may be found attached to the special message of the Governor to the General Assembly of North Carolina, session 1860. Since then, no new contracts have been made. There has never been any contracts for repairs of Canal. In fact, I may say there are no contracts of any kind in existence, all having long since been completed and cancelled.

Respectfully yours,

MARSHALL PARKS, Pres.

The Committee then applied to certain witnesses for information, which they declined to give, as well as to appear before the Committee, *except under compulsion*. It having thus become apparent that without powers in Virginia similar to those conferred by the General Assembly in North Carolina, the objects of the investigation would necessarily be defeated. The Committee, on deliberation, determined to send a sub-committee consisting of Messrs. Moore and Gatling, to Rich-

mond, for the purpose of applying to Gen. Canby for the power of compelling attendance of witnesses; and a resolution was adopted to that effect. The sub-committee having proceeded to Richmond, Gen. Canby issued the following order:

HEADQUARTERS FIRST MILITARY DISTRICT,

STATE OF VIRGINIA,

Richmond, Va., May 24, 1869.

SPECIAL ORDERS, }
No. 103. }

(*Extract.*)

* * * * *

4. "The committee appointed by a joint resolution of the Senate and House of Representatives of the State of North Carolina to investigate the affairs of the Albemarle and Chesapeake Canal Company, are hereby empowered to send for persons and papers connected with such investigation," to appear and be produced before them at such times and places as to them shall seem requisite and necessary; said committee being authorized to issue process in the nature of a subpoena to such witnesses and for such papers, and to force their attendance and production by rule and attachment under such circumstances and proofs as are ordinarily required in court.

* * * * *

By COMMAND OF BREVET MAJOR-GENERAL CANBY:

LOUIS V. CAZIARC,

Aid-de-Camp, Acting Asst. Adj. Gen'l.

Mr. GATLING,

Care Mr. W. A. MOORE,

National Hotel, Norfolk, Va.

Under power of which order, the testimony herewith submitted was taken.

On the 29th May, Mr. Parks addressed to the Chairman the following letter:

OFFICE OF THE ALBEMARLE AND CHESA. CANAL CO.

Norfolk, Va., May 29th, 1869.

C. L. HARRIS, Esq., Chm'n.

Dear Sir :—Since my reply to your last communication, dated the 17th instant, in which it was suggested “that the Committee should visit the Company’s office, where any information desired could be more readily obtained,” an intimation has been communicated to me from the Chairman that it was the pleasure of the Company that my presence before your body, during the investigation, was not desired. This resolve I could not but regard as unjust to me, and as inconsistent with the avowed object of the investigation.

But under the circumstances, I deemed it proper quietly to submit to the line of action adopted. Since then an article has appeared in one of the city papers, a copy of which is herein enclosed, whether with the authority of the Committee or not, I cannot say, in which it is announced that a Committee has been appointed by the Legislature of North Carolina to investigate alleged frauds in the management of the Albemarle and Chesapeake Canal Company, together with an order from the Military Commandant of this district, empowering said Committee to send for persons and papers, and to enforce attendance.

With this Company and its management, I am known to be intimately connected ; and whilst I again reiterate my often avowed disposition to aid in every possible way, the Committee in the discharge of the duty assigned them, yet a proper self-respect and obligation to maintain the interests confided to my hands, require that the investigation should not be an *ex parte* one, but that all the facts bearing upon the points under examination, should be fully, frankly and fairly spread upon your records. This is but simple justice to myself and the constituency which you represent. Any other line of proce-

sure would be, I am sure, distasteful to the revising power, whether civil or military, and subversive of the objects for which your Committee was raised.

Under the circumstances, and inasmuch as my position enables me to furnish the most efficient aid in supplying any and all information touching the management of this work, and more especially, as it has become apparent that my conduct, as its presiding officer, is involved in the scope of your investigation, I respectfully request the privilege of being present, and if desired, to be represented by counsel, and the privilege of offering such testimony as the nature of the case may require, either in aiding your purposes by the development of the whole truth, or in defending myself against unjust or unfounded imputations.

I have the honor to be,

Very respectfully,

Your obedient servant,

MARSHALL PARKS.

To which the Chairman replied as follows:

COMMITTEE ON ALBEMARLE & CHESA. CANAL COMPANY,
National Hotel, Norfolk Va., May 31st, 1869.

MARSHALL PARKS, Pres't. A. & C. C. C.

Dear Sir:—Yours of the 29th instant duly received, and in reply the Committee would state that they do not conceive they are proceeding in a manner unjust to you or inconsistent with the avowed object for which they were appointed.

This is a Committee of investigation simply, and will be conducted according to the rules of procedure governing such Committees

No one is on trial, nor can any one with propriety claim the right to be present, either in person or by counsel.

You correctly state that the Chairman intimated to you

that your presence was not desired before the Committee; and that the order of Gen. Canby was published in one of the city papers; but in stating further, that you quietly submitted to the line of action adopted, *until* the publication appeared, you have singularly confounded dates.

The Committee promptly met on the 15th instant, of which time the Chairman had given you several days previous notice. On the 17th you were informed by note of the time and place of the meeting of the Committee, with a request that you would appear before them with certain contracts and papers. You failed to do so. We applied to certain witnesses for information, but they declined to appear before us.

It thus became apparent that our labors would be in vain, unless we obtained the power of enforcing the attendance of witnesses and the production of papers. The order was procured on the 24th instant, and on the next day, without summons, you appeared before the Committee for the first time.

The Committee regret that for ten days previous, you were unable to find them, so that you might furnish them the information which you so cheerfully offer, and which they are so anxious to receive.

It appears that the Chairman gave you the intimation alluded to *after* and not *before* the publication of the military order. Hence, whatever inquietude you are now laboring under, cannot have been produced in the manner indicated in your note of the 29th instant.

The Committee earnestly desire to spread on their records fully, fairly and frankly all the facts, and to that end purpose to examine you and such other persons as you may suggest.

The Committee notice with pleasure, your appreciation of the obligation to maintain the interests confided to your hands, and as they are actuated solely by the same motives, hope the best results from this investigation.

I have the honor to be,

Very respectfully,

Your obedient servant,

C. L. HARRIS, *Chm'n.*

In submitting the evidence taken, the Committee call attention to the testimony of Mr. James Lyon, a gentleman of acknowledged ability and experience, as illustrating the extreme want of economy, which, in the opinion of the Committee, has marked the whole administration of President Parks. Also, to the extraordinary transfer of stock made to Mr. Carry Weston, as set forth in his testimony. Mr. Weston failing to explain the transaction, the Committee, though with reluctance, feel compelled to suspect the bona fides of the transfer, especially so as, under the charter, this "splitting of stock" is attended by an increase of votes, which *might possibly* be used in derogation of rights granted, and intended to be secured by the charter to other stockholders, and in particular to the State of North Carolina. The Committee present to the consideration of the General Assembly, the facts set forth in the testimony and annual report for 1868, of Col. Thos. J. Corprew, President of the Dismal Swamp Canal Company, as furnishing in the affairs of this Company, a very striking contrast, in many respects, to the management of the Albemarle and Chesapeake Canal Company. Report of 1867.

C. L. BARKIS, Clerk.

*Statement of Receipts and Disbursements of the Albemarle
and Chesapeake Canal Co., for the fiscal year ending
September 30, 1867.*

1867.	By balance as per statement rendered 30th September, 1866,			\$ 10,280	76
	By tolls and towing and receipts from other sources,			63,023	35
	DISBURSEMENTS.				
	To paid interest on loan, &c.,	\$	1,318	21	
	“ “ on loan at Exchange National Bank,		12,182		
	“ “ for depot wharf, rent of buildings, salaries of clerk, &c.,		3,597	62	
	“ “ cost of running tow-boats, repairs, wages and fuel,		13,937	12	
	“ “ repairs of canal, including working of dredge, pile-driver, and fuel for same,		16,171	52	
	“ “ for stationery, printing annual reports, manifests, toll rates, traveling expenses, &c.,		1,514	07	
	“ “ survey of company's land,		786	93	
	“ “ tolls refunded,		528	66	
	“ “ repair of canal dam,		1,837	54	
	“ “ “ “ banks,		929	48	
	“ “ rebuilding North Landing Bridge,		1,006	21	
	“ “ for repairs of lock-gates, chain for same, and painting, also Coinjock Bridge & Canal Light-House,		2,124	47	
	“ “ services of Detective, and amount paid for County of Currituck, N. C.,		107	87	
	“ “ salary of President, Treasurer, Collector, Lock-Keeper, Bridge-Keepers and Keeper of Canal Light House,		5,360		
	Balance,		11,902	41	
		\$73,304	11	\$ 73,304	11
	Balance,			\$ 11,902	41
	Balance, viz: In Currituck County Bonds,			\$ 9,300	
	In Bank and on hand,			2,602	41
	B. F. TEBAULT, Treasurer, &c.				
	Norfolk, Va., 30th September, 1867.				

OFFICE OF THE ALBEMARLE & CHESAPEAKE CANAL COMPANY,

Norfolk, Va., October 24th, 1867.

This is to certify that I have carefully examined the quarterly accounts and vouchers of the Treasurer of this Company, for the fiscal year ending 30th September, 1867, and find the same to be correct.

JOHN LATHROP, Auditor.

Statement of the condition of the Dismal Swamp Canal Company September 30th, 1868.

Cost of property, construction,		\$ 486,000	Capital Stock, Bills payable, old account,	21,811 77	\$ 486,000
Dredge No. 1,	\$ 12,215		Bills payable, new account,	30,000	
Profit and loss,	64,409 07				51,811 77
EXPENSE ACCOUNT.					52,000
Salaries general officers and expenses,	2,721 26	76,615 07	*Eight per cent. 1st mortgage bonds, Open accounts,		4,102 67
Office expenses,	325 73		REVENUE.		
Law fees and taxes,	250		Inward tolls,	7,510 58	
Interest. { Discounts,	1,209 53		Outward tolls,	2,705 42	
{ Funded debt,	2,160		Road tolls,	934 29	
			Rents,	248 80	
Canal tolls,	3,277 34				11,399 09
Road tolls,	59 77				
Enlargement and repairs,		10,003 63			
Discount on bills payable, old account,		16,707 86			
Farmers' Bank of Virginia,		5,456 81			
Daniel J. Turner,		66 72			
W. R. Overton,		1,092 62			
Old claims,		130 86			
Cash on hand,		1,536 02			
		7,594 94			
		\$ 605,213 53			\$ 605,213 53

*The Company, by acts of States of Virginia and North Carolina have the privilege of issuing \$200,000 Mortgage Bonds.

For instance, the Albemarle & Chesapeake Canal receiving "by tolls and towing and receipts from other sources," \$63,023.35 during fiscal year ending 30th Sept., 1867, disburses \$61,401.50, while the Dismal Swamp Canal, counting its revenue at \$11,399.09, expends inclusive of repairs and enlargement \$26,711 47. The A. & C. Canal pays its officers \$5,360. The Dismal Swamp only \$2,721.26. Yet the Dismal Swamp Canal has five (5) locks and the Albemarle and Chesapeake has one (1). The witnesses examined, (and they were well prepared to judge,) assent with great unanimity that they are unable to see any reason why the A. & C. Canal should cost more to keep it in running order than the Dismal Swamp Canal. Under these circumstances, the Committee hope to be pardoned for expressing their regret that the State did not select the Dismal Swamp Canal as the proper object of its bounty.

The charter expressly stipulates that "a sea-going vessel drawing ($7\frac{1}{2}$) seven and one-half feet shall pass safely through the Canal," before the work be accepted. From the evidence this condition seems never to have been complied with.

In conclusion, the Committee regard it their duty to earnestly recommend that the Attorney General of this State be directed to seek in the Courts of Law such protection to the interest of the State in the Canal, as the circumstances may warrant, with power to employ associate counsel, in case he shall deem the same necessary; though they regret to confess a fear that it may now be too late, as the safe guards, thrown around the appropriation in the original charter, seem to have been withdrawn to great extent by subsequent amendments.

Respectfully snbmitted,

C. L. HARRIS, Chm'n.

W. A. MOORE,

JOHN GATLING,

T. C. HUMPHRIES,

F. G. MARTINDALE,

ELIHU A. WHITE,

Committee.

EXAMINATIONS BEFORE COMMITTEE TO INVESTIGATE THE AFFAIRS OF THE ALBEMARLE AND CHESAPEAKE CANAL COMPANY.

EXAMINATION OF W. H. C. ELLIS.

Question by Mr. Moore. Are you the counsel for the Albemarle and Chesapeake Canal Company?

Answer. I have only been employed in a few cases.

Question. Were the contracts of the Company ever submitted to your inspection?

Answer. No.

Question. Did you ever inspect the stock list of the Company?

Answer. No.

Question. Will you examine the list and tell us whether or not you know anything of the *bona fides* of the subscriptions?

Answer. I know nothing of it.

Question. When did you buy and of whom?

Answer. I bought of the President, giving par value—receiving the bonds for professional service.

Question. Do you know anything of John W. Park's subscription?

Answer. Do not—have heard he was a stockholder.

Question. Have the lands of the Company been used for other purposes than those of the Company?

Answer. I don't know.

Question. Did you satisfy your mind that the proxies voting at the last election were properly constituted?

Answer. I did at the time, but don't recollect on what I based my opinion. Don't think Maj. W. J. Baker agreed with me.

Question. Are you not a director and stockholder in both

the Albemarle and Chesapeake Canal Company and the Dismal Swamp Canal Company?

Answer. I am.

Question. What is your opinion as to the relative expense of working the two Canals?

Answer. I have no *specific* information on the point—*generally* suppose the Dismal Swamp Company to be much more economically administered than the Albemarle and Chesapeake Company.

Question. Is there any reason why one should cost more than the other?

Answer. I can't say positively—I don't see any reason myself.

Question. Is Marshall Parks a member of the firm of M. Courtwright & Co.?

Answer. I understand so from Mr. Parks' admission to me—I don't know when the connection commenced.

Question. Is M. Courtwright the Courtwright of the firm of Courtwright, Barton & Co.?

Answer. I think so?

Question. Does the Albemarle and Chesapeake Company employ more officers than the Dismal Swamp Company?

Answer. I don't know—I believe the Dismal Swamp Company has only two regular offices and they are both filled by one man.

Question. Is it necessary that the Albemarle and Chesapeake Canal Company should rent depots, wharfs and warehouses?

Answer. If it keep tow-boats, I think it is, but I don't think the tow-boats profitable.

JOHN T. DUFBAR'S EXAMINATION.

Question by Mr. Moore. What is your business?

Answer. Local Inspector of hulks.

Question. Are you acquainted with the Albemarle and Chesapeake Canal?

Answer. I am to some extent—passed through the canal as Captain of a vessel before and during the war—was special agent for the Company in 1866—only for a short time.

Q. According to your knowledge of the canal and its rules what do you think the exclusive right of towing through the canal ought to be worth?

Answer. I think any one could afford to pay a bonus of \$4,000 for it—\$4,000 at least.

Q. How long have you known the Dismal Swamp and Albemarle and Chesapeake Canals?

Answer. The Dismal Swamp Canal for twenty-one years. The Albemarle and Chesapeake since its completion.

Question. What ought to be the relative costs of running the two canals?

Answer. I think the Dismal Swamp Canal ought to cost at least twice as much as the Albemarle and Chesapeake because the first has two double locks and three (3) single, four (4) bridges, and requires digging for twenty-eight (28) miles, while the Albemarle and Chesapeake Canal has only one (1) lock, three (3) bridges, and including the Blackwater flats requires only (15) fifteen miles digging.

Question. What is the greatest depth of water you have ever known in the canal?

Answer. Seven (7) feet in the canal and six (6) on the Blackwater flats.

Question. The least depth?

Answer. Five (5) feet in the canal, four (4) on the flats.

Question. What draught vessel can with safety trade through the canal?

Answer. Not to exceed six (6) feet.

Question. Do the dredges work through the entire year?

Answer. They work only a portion of the year.

Question. Do the dredges and tow-boats of the canal ever work around the City of Norfolk?

Answer. They do.

Question. Are the tow-boats of the canal usually charged wharfage in the City?

Answer. They are not.

Question. Do you think it necessary that the Company should have a wharf and warehouse in the City?

Answer. I think not, provided they had an office here.

Question? Does M. Parks keep the Company's coal on the Company's wharf or on a separate one?

Answer. On a separate wharf.

Question. Are the warehouse and wharf now occupied by the Albemarle and Chesapeake Company ever used for other purposes than those of the Company? if so in what proportion?

Answer. Yes, at least five to one.

Question. What ought the wharf and warehouse to rent for?

Answer. Six hundred (600) dollars.

Question. What ought to be the relative cost of dredging the Dismal Swamp and Albemarle and Chesapeake canals?

Answer. Less to dredge the Albemarle and Chesapeake Canal than the Dismal Swamp, because both ends of the latter are through sandy soil, while the former runs through swampy ground with clay bottom.

EXAMINATION OF MR. JAMES LYONS, OF NORFOLK, VA.

26th May, 1869.

Question by Mr. Gatling. What is your business?

Answer. Machinist.

Question. Were you connected with the Albemarle and Chesapeake Canal during its construction? If so, in what capacity?

Answer. Yes, as Master Machinist.

Question. How many locks are there on this Canal?

Answer. One.

Question. Do you know how many there are on the Dismal Swamp Canal?

Answer. Five.

Question. To keep the banks of the two Canals in repair, which is the more expensive?

Answer. The Albemarle and Chesapeake.

Question. How much?

Answer. I think 50 per cent would be a very liberal estimate, exclusive of the locks.

Question. Of the two Canals, which locks are the more expensive?

Answer. The Dismal Swamp Canal locks.

Question. In what proportion?

Answer. Five to one, i. e. in their present condition.

Question. If the contracts let by the President of the Albemarle and Chesapeake Canal had been advertised, would you have known it?

Answer. Yes.

Question. Do you know that advertisement was made before the letting of contracts?

Answer. I do not.

Question. What was the average depth of water in the Canal when first completed?

Answer. An ordinary tide, seven (7) feet. At low tide four or five (4 or 5) feet.

Question. What is it now?

Answer. About the same.

Question. From your own knowledge of the two Canals, which involves the larger yearly expense—I mean expense necessary to keep it in working order?

Answer. The Dismal Swamp Canal.

Question. Are you prepared to make a correct estimate as to this point?

Answer. Yes.

Question by Mr. Martindale. Do you know the dredges employed on the Albemarle and Chesapeake Canal?

Answer. Yes.

Question. What is the actual daily cost of working one of those dredges?

Answer. (Mr. Lyons having made a pencil calculation, answered,) about twenty (\$20) dollars, if they use coal, sixteen (\$16) if they burn wood; this exclusive of the wear of the machine.

Question. What does the wear amount to?

Answer. Eight (8) or ten (10) dollars per day.

Question. How many dredges were employed on the Canal during the year 1868?

Answer. Two.

Question. Were they kept constantly at work?

Answer. One was—the other lost about one-third of its time.

Question. What ought the Coanjoek bridge to cost?

Answer. From eight (\$800) hundred to one thousand (\$1,000) dollars, exclusive of the piling and turn-table.

Question. What ought the other bridges to cost?

Answer. About the same.

Question by Mr. Gatling. Did you make propositions to repair the locks in 1865? if so, for what amount?

Answer. I did repair the lock in 1863, (I think;) it having been broken in 1865, (about,) I offered to do the repairs a second time for forty-five hundred (\$4,500) dollars, which was declined, the President objecting to the time I asked for, viz: six (6) or (7) weeks. He afterwards employed Col. Walton, who having worked for two months, I was sent for and found that he had not even succeeded in pumping the water out. I completed the repairs in about one month, I suppose, at the necessary cost of five thousand (\$5,000) dollars, (i. e. the work done under my supervision:) I am under the impression that Mr. Parks told me that the entire cost of these repairs amounted to over twenty (\$20,000) thousand dollars.

Question. What do you think these repairs ought to have cost?

Answer. I offered to do them for forty-five (\$4,500) hundred dollars. More work was done than I embraced in my estimate. This ought not to have cost more than three thousand (\$3,000) dollars. Seventy-five hundred (\$7,500) dollars ought to have paid for all.

Question. How was the work managed before you took charge?

Answer. I should judge very badly—as I found a great many useless officials employed, who seemed to have but little to do, and not very well acquainted with their duties at that.

Question. Can you name some of these offices, and the men who filled them?

Answer. There seemed to be several Superintendents, Quartermaster's, Commissary, Master of Transportation, Keeper of Tools, Clerk to call the roll, and several foremen. Mr. John W. Parks, Mr. Jackson, Col. Walton and his son, besides several others whom I have forgotten, filled the offices.

Question. After you had taken charge, did you continue these men in office?

Answer. At my suggestion, Mr. Lathrop, the Civil Engineer, discharged all of this number over whom he had control.

Question. Do you know the kind of boats used, and the rates charged for towing on the Canal?

Answer. Yes.

Question. Ought these boats to pay expenses?

Answer. They ought to pay at least (30) thirty per cent profit.

Question. From your knowledge of the Canal, and the rates now charged, what do you think the privilege of towing ought to be worth, above all costs?

Answer. I should think twenty thousand (\$20,000) dollars would be a fair yearly average.

Question. Was the business of the Canal injured by the war?

Answer. During its continuance towing was decreased, but

tolls were increased, making the profits about the same, I should judge.

Question. Are you interested in the Canal?

Answer. I am not.

Question. Do the dredges and tow boats of the Company work around the City?

Answer. They do sometimes.

Question by Mr. Martindale. Are not the wharf and warehouse of the Company sometimes used for purposes other than those of the Company?

Answer. Yes.

Question. To what extent?

Answer. At least two to one.

Question. Is John W. Parks a practical engineer?

Answer. No.

Question. Is he competent to discharge the duties of an Engineer?

Answer. No.

EXAMINATION OF MR. CARY WESTON.

27th May, 1869.

Question by Mr. Moore. How many shares in the Albemarle and Chesapeake Canal do you own?

Answer. None—the stock I represent was transferred to me without my having paid anything for it—by whom I really don't know—i. e., I don't know to whom the stock which I represent belongs. I was informed of the transfer by the President of the Canal, without my ever having solicited it. This took place about (3) three years ago.

Question by Mr. Gatling. Did Mr. Parks (Marshall) and yourself enter into any agreement, either express or implied, as to the manner in which you should represent that stock?

Answer. No.

Question. Did you ever represent that stock in any meeting of the stockholders?

Answer. Only once—the last—for the election of officers.

Question. For whom did you vote as President at that meeting?

Answer. Mr. M. Parks.

Question. Is Mr. Parks related to you?

Answer. He is my uncle.

Question. Why was the stock transferred to you?

Answer. I don't know.

Question. Did you ever have any conversation with Mr. Parks on that subject?

Answer. I did not, further than that Mr. Parks told me that the stock had been transferred to me on the books—to which I replied "all right," or something of that kind, and asked no questions.

Question. Did you ever have a contract to cut timber on the land belonging to the Company?

Answer. I did not. I cut as agent for the Company,

Question. How long did you cut as agent?

Answer. Nearly a year, (from December, 1867, to December, 1868) making shingles and cypress barrel timber.

Question. What became of that timber?

Answer. Part sold—part on hand still—my report to the Company shows the whole transaction.

Question. What was your compensation?

Answer. ($\frac{1}{4}$) one-fourth of the nett profit.

Question. Did you ever vote in any meeting by proxy? if so, who was your appointee?

Answer. I don't recollect positively, if I ever gave a proxy, it was either to Mr. Marshall Parks or to Mr. John W. Parks.

EXAMINATION OF MR. J. CARY WESTON, (FATHER OF MR. CARY WESTON.)

27th May, 1869.

Question. What is your relationship with Mr. Marshall Parks?

Answer. Brother-in-law.

Question. Who was the Company in the firm of Courtwright, Barton & Co.

Answer. I don't know.

Question. Were the contracts let by the Company while you were a Director advertised?

Answer. No.

Question. If advertisement had been made would you have known it?

Answer. Yes.

EXAMINATION OF MR. K. R. COBB, (ONE OF THE DIRECTORS OF THE STATE.)

Question by Mr. Harris. Are you a Director in the Albemarle & Chesapeake Canal on the part of the State?

Answer. I am.

Question. Why did you and the other State Directors decline to take their seats at the last meeting of the Directors?

Answer. Because we did not regard the gentlemen claiming to be Directors for the private stock, *legally* constituted as such, as we did not consider them elected by a majority of the voters, or their legal representatives.

EXAMINATION OF S. P. MOORE.

27th May, 1869.

Question by Mr. Moore. What is your profession?

Answer. Cashier of the Exchange National Bank of Virginia.

Question. Do you know the firm of Mr. Courtwright & Co.? and who are the firm?

Answer. M. Courtwright and Marshall Parks—they deposit in our bank. Mr. Parks signs for the firm.

Question. Do you keep separate accounts for M. Court-

wright & Co., and the Albemarle and Chesapeake Canal Company?

Answer. We do.

Question. How long have you known the firm of M. Courtwright & Co.?

Answer. About four years.

EXAMINATION OF MR. L. W. OSWALD.

27th May, 1869.

Question by Mr. Gatling. Are you the proprietor of a line of steamers and barges plying through the Albemarle and Chesapeake Canal?

Answer. I am.

Question. From your knowledge of the business done by the tow-boats of the Canal, what is the exclusive privilege of towing worth?

Answer. I think it would pay expenses.

Question. Do you think the Company has any use for a wharf and ware house in Norfolk?

Answer. I do not.

Question. What would the wharfage of the Company boats cost, if the Company had no wharf of its own?

Answer. Not to exceed four hundred dollars, (400.)

Question. What is the average depth of water in the Canal at ordinary tide?

Answer. Six (6) feet.

Question. What is the average depth on the Blackwater flats?

Answer. From ($4\frac{1}{2}$) four and a half to (7) seven feet.

Question. Can a "sea going vessel, drawing ($7\frac{1}{2}$) seven and a half feet water, pass safely through the Canal?"

Answer. No—it is not safe for any vessel drawing more than ($5\frac{1}{2}$) five and a half feet water to pass through, nor has it been since I have known the Canal—now about four (4) years; and I have been constantly passing through during that time

Question. Did your business lead you to acquaint yourself with this fact in particular?

Answer. Yes.

Question. How often do your boats pass through the Canal?

Answer. I have a steamer running through regularly once a week, and tugs and barges once in two weeks.

Question. Do you know that the Canal dredges ever work for private parties?

Answer. I only know that Mr. Parks did some dredging for the Annamessic Company, for which the agent told me they paid him \$9,000, nine thousand dollars. I don't know that he used the Canal dredges.

Question. Do your boats also run through the Dismal Swamp Canal?

Answer. Yes.

Question. From your knowledge of the two Canals, which ought to cost more to keep in running order?

Answer. They ought to cost about the same, I should judge.

EXAMINATION OF BABEL TAYLOR.

28th May, 1869.

Question by Mr. Martindale. What is your business?

Answer. Steamboat Captain.

Question. How long have you been running through the Albemarle and Chesapeake Canal?

Answer. My boat was the (2d) second which passed through the Canal. I have been running through regular ever since, except during the war.

Question by Mr. Gatling. From your knowledge of the Canal, could "sea-going vessel drawing ($7\frac{1}{2}$) seven and a-half feet water," have ever passed safely through the Canal at any time since its completion?

Answer. No, sir. I think ($5\frac{1}{2}$) five and a half feet is the

heaviest draught vessel which could have passed regularly through in safety.

Question. Have the Company always collected tolls from you on your passage through the Canal?

Answer. Yes, before my boat left the locks.

Question. How often do you pass through the Canal?

Answer. I make about (18) eighteen trips a year.

Question. Did you ever run through the Dismal Swamp Canal?

Answer. Yes, for nearly (20) twenty years.

Question. Of the two Canals, to keep in working order, which ought to be more expensive?

Answer. Both about the same, I should judge.

Question. Is it necessary that the Company should have a wharf and warehouse in Norfolk?

Answer. I think not.

Question. Does your wharfage cost you anything?

Answer. It does not.

Question. Does the Albemarle and Chesapeake Canal require more officers than the Dismal Swamp?

Answer. I think not.

EXAMINATION OF D. D. SIMMONS.

28th May, 1869.

Question by Mr. Moore. What is your age, residence and profession?

Answer. 58 years—commission merchant in Norfolk for 20 years.

Question. Have you had, and have you still a large trade from the country bordering on the Albemarle and Chesapeake Canal and its tributaries?

Answer. I have.

Question. Are you acquainted with the Albemarle and Chesapeake and the Dismal Swamp Canals?

Answer. I am—having frequently gone through them.

Question. Since the completion of the Albemarle and Chesapeake Canal, what draught vessel could ordinarily have passed safely through it?

Answer. Ordinarily, not over ($5\frac{1}{2}$) five and a-half feet—sometimes more, sometimes less, but never more than (7) seven feet. A tug boat of great power, drawing one and a-half ($1\frac{1}{2}$) feet more than a sea-going vessel, could force her way through the Canal and flats, cutting the bottom.

Question. What ought to be the relative cost of keeping the two Canals.

Answer. I should think it would cost at least one hundred (100) per cent. more to keep the Dismal Swamp than the Albemarle and Chesapeake Canal, for the following reason: The Dismal Swamp Canal has (5) locks, while the Albemarle and Chesapeake has only one (1); the Dismal Swamp is (28) twenty-eight miles long, the Albemarle and Chesapeake only (21) twenty-one.

Question. Is it necessary, in your opinion, that the Albemarle and Chesapeake Canal Company should keep a wharf and warehouse in this City?

Answer. It is not, with an office in this City, the business of the Company could be done at the locks. Any coal merchant would furnish a berth for their boats without charge.

Question. With a collector at the locks to receive the tolls, could not one good business man discharge the duties of President, Superintendent, Treasurer and Secretary?

Answer. Yes, Mr. Corprew does so on the Dismal Swamp Canal.

Question. What ought to be the yearly cost of keeping the Albemarle and Chesapeake Canal?

Answer. Two dredges running, I think \$25,000 ought to keep and run the Canal.

Question. Could one dredge, working steadily since the completion of the Canal, have done the work necessary—say the work which has been done?

Answer. I think so.

Question. What do you estimate the yearly cost of running a dredge, including wear and tear?

Answer. About \$9,000.

Question. What the exclusive privilege of towing be worth?

Answer. At least \$2,000.

What would you consider a fair amount for the wharf and warehouse used by the Albemarle and Chesapeake Company?

Answer. About \$1,500.

Question. Have you had any experience in digging Canals?

Answer. Yes, I was interested in digging a Canal in 1858-'59-'60, $4\frac{1}{2}$ miles long, 27 feet wide and $7\frac{1}{2}$ feet deep, through land similar to that through which the Albemarle and Chesapeake runs, including the dredge it cost \$15,000 dollars (round numbers) the cost per cubid yard to dig a Canal 60 feet wide be to ($\frac{1}{8}$) one-eight more.

Question. What then ought the Albemarle and Chesapeake Canal to have cost—i. e., its construction?

Answer. I made a careful calculation at the time, with liberal allowance for contingencies, it should not have cost more than four hundred and fifty thousand (\$450,000) dollars, putting the lock at fifty thousand dollars (\$50,000.) In cutting our Canal we encountered stumps and trees similar to those in the Albemarle and Chesapeake Canal.

Question. What inward tolls did you pay the Company from July 1868 to January 1869?

Answer. Twelve in sh shingles, 4,428,250; two feet shingles, 402,376; tar, 605 barrels; cotton, 82 bales; corn, 2,130 bushels; staves, 39 227; peas, 951 bushels; lumber, 96,000 feet; wheat, 228 bags; potatoes, 5 bags; beeswax, 182 pounds; flax seed, 6 bags and 11 bushels; hides, 47; beans, 7 bushels; rags, large quantities.

Question. What was Marshall Parks pecuniary standing in 1855, and what is it now?

Answer. He has always been reported insolvent.

EXAMINATION OF WM. BROWN.

May 28th, 1869.

Question by Mr. Martindale. What is your business?

Answer. I have been running a steamer for three years.

Question. Have you ever run through the Albemarle and Chesapeake Canal?

Answer. I make about forty [40] trips through it every year.

Question. What draught vessel can pass safely through at all seasons?

Answer. Not more than $5\frac{1}{2}$ feet.

Question. What ought to be the relative cost of keeping the Dismal Swamp and the Albemarle and Chesapeake Canals?

Answer. The Dismal Swamp ought to cost more.

Question. Could one dredge do as much work as has been done on the canal during the last year? i. e. in the same time?

Answer. If worked every working day, yes.

Question. Do you know that the Company dredges are ever employed in the Norfolk harbor?

Answer. Yes, to my certain knowledge.

Question. At the present rates, what ought the privilege (exclusive) of towing be worth per annum?

Answer. About two thousand dollars.

Question. Are tow boats generally charged wharfage in the City?

Answer. I never knew one to be charged.

Question. Is it necessary that the Company should have as extensive a wharf and warehouse as they now employ in order to carry on the towing business?

Answer. They might carry on the business with the privilege of a coal yard wharf and a small office up town.

EXAMINATION OF JOHN W. PARKS.

26th May, 1869.

Question by Mr. Moore. What is your profession?

Answer. A machinist—at present Captain of a steam tug.

Question. Are you related to Marshall Parks?

Answer. Brother.

Question. How long have you been connected with the Albemarle and Chesapeake Canal?

Answer. Not until last January.

Question. How, when and from did you acquire one hundred and ten shares of the stock of that canal?

Answer. From Courtwright, Barton & Co., for services rendered from 1855 to 1860—I paid no money.

Question. What were the services, and how much per month did they pay you.

Answer. Acting as their agent in Norfolk, for receiving and forwarding supplies and employing laborers. They paid me at the rates of one hundred dollars a month, two-thirds to be taken in stock, the remainder in cash.

[*Note.*—Mr. Parks, on reflection withdrew the above answer, stating he was mistaken, and answered as follows: I received one hundred and ten shares for my services from 1855 to 1860—no money.]

Question. When did you receive the stock?

At different times.

Question. Did you have a contract with Courtwright, Barton & Co.?

Answer. I did not, but relied on their liberality.

Question. Was your time engrossed in their services?

Answer. No, only about five-eighths.

Question. Are you a married man, and when were you married?

Answer. I refuse to answer the question.

Question. Did you have any visible property in 1865 and from that time till 1869?

Answer. (Refused.)

Question. During the period between 1855 and 1869 did you possess any source of income other than your labor?

Answer. I did not.

Question. What was the value of the stock during that time?

Answer. I don't recollect.

Question. Do you know the members of the firm of M. Courtwright & Co.?

Answer. I do not. Several of the firm of Courtwright, Barton & Co., have died, I suppose the surviving partners constitute the present firm.

Question. Is Marshall Parks a member?

Answer. I don't know.

Question. When was the firm of M. Courtwright & Co. formed.

Answer. I don't know, it has been in existence ever since the war.

Question. Have you ever worked for them?

Answer. I repaired their dredges in Norfolk harbor and on the Appomattox river—I think about 1866 and 1867.

Question. Who paid for this work?

Answer. M. Courtwright for that done at Norfolk, the City of Petersburg for that done on the Appomattox.

Question. What draft of sea going vessels can ordinarily trade with safety through the Albemarle and Chesapeake Canal?

Answer. I know nothing of the depth before the 1st January, 1869, since that time a vessel drawing six feet three inches (6 feet 3 inches) could pass safely—(this is an average.)

Question. How long did the dredge work last year?

Answer. I don't know positively—suppose about seven (7) months—I saw the dredge when she went to work, and when she came back for repairs.

Question. In the open waters how many months in the year can a dredge work.

Answer. About eight (8) months—high winds and bad weather would keep it idle for four (4) months.

Question by Mr. Harris. From your knowledge of the Dismal Swamp Canal, would that or the Albemarle and Chesapeake Canal be more expensive to keep in repairs and running?

Answer. I think the Albemarle and Chesapeake would cost at least three to one (3 to 1)—this is my impression, I have never made the calculation—my reason that there are more bridges on the Albemarle and Chesapeake Canal.

EXAMINATION OF COL. THOS. J. CORPREW.

Question by Mr. Moore. What is your name, residence and business?

Answer. Thos. J. Corprew, Norfolk, President of the Dismal Swamp Canal.

Question. Are you acquainted with the Albemarle and Chesapeake Canal?

Answer. I have been through it twice since the war—was stationed on it during the war, and passed through often before.

Question. What was your occupation during all this time?

Answer. Merchant till 1851 or '52—engaged in constructing a Rail Road in Kentucky in 1855—was Treasurer of Norfolk and Petersburg Rail Road till November, 1867, then became President of the Dismal Swamp Canal.

Question. What draft vessel could ordinarily pass with safety through the Albemarle and Chesapeake Canal?

A. Don't know from personal knowledge.

Question. What is the cost of keeping in repair and running your canal?

Answer. (\$1,000) one thousand dollars per month is amply sufficient to keep it in order, pay salaries and other expenses, including the cost of running one dredge.

Question. What is the average cost of running a dredge in your canal?

Answer. (\$3,000) three thousand dollars per annum ; four (4) men and (1) one boy employed.

Question. What is the difference in cost in running such a dredge as you employ, and that used in the Albemarle and Chesapeake Canal ?

Answer. The capacity is the same, the cylinder the same size, and made on the same pattern, the cost of both should be the same. Excavation on the flats would cost about twice as much as in the Canal.

Question. What should be the relative cost of running the two Canals, exclusive of dredging ?

Answer. I think the Albemarle and Chesapeake Canal ought not to cost as much as the Dismal Swamp—certainly not more.

Question. What is the yearly cost of dredging in your Canal ?

Answer. Three thousand (\$3,000) dollars will keep it free from bars, make all necessary repairs on the locks and roadway ; i. e. after its completion, one-half for dredge work.

Question. Would it have cost more before you commenced your improvements ?

Answer. No.

Question. If the Albemarle and Chesapeake Canal had an office in the City, would they need a wharf and warehouse ?

Answer. I see no necessity for either.

Question. Could one good business man discharge the duties of President, Superintendent, Secretary and Treasurer of the Albemarle and Chesapeake Canal ?

Answer. I think so.

Question. Is any other officer than a collector of tolls necessary ?

Answer. I think not.

Question. Is your annual report for 1868 a correct account of the business of your Canal for that year ?

Answer. It is.

Question. Do you know that the Albemarle and Chesapeake dredges are ever employed about the city?

Answer. They have been employed at the Navy Yard and at several wharfs.

Question. Do you know the cost of the repairs done to the lock of the Albemarle and Chesapeake Canal in 1865?

Answer. Mr. Parks and the Engineer told me that they cost twenty-nine thousand (\$29,000) dollars.

EXAMINATION OF CHARLES R. NASH.

29th May, 1869.

Question. What is your name and where do you live?

Answer. Chas. R. Nash—Norfolk.

Question. You were present at a meeting of stockholders in the Albemarle and Chesapeake Canal, and represented a number of votes by proxy. State why you were not allowed to vote?

Answer. I was present at an annual meeting, I think in 1867, not positive as to date. I represented Branson Bell; the proxy was signed, sealed and witnessed. Mr. Marshall Parks objected to my voting, on the ground that the proxy had no United States revenue stamp on it. I offered to put one on, but he declined to allow, contending that I had no right to do so.

Question. From your knowledge of the two Canals, the keeping and running of which ought to have cost the more, the Dismal Swamp, or the Albemarle and Chesapeake Canal, say for the year 1868?

Answer. The Dismal Swamp Canal.

Question. Are you well acquainted with them?

Answer. I think I am. I have passed through both very often, and have lived near them all my life.

EXAMINATION OF JOHN WILLIAMS.

29th May, 1869.

Question. What is your name, and where do you live?

Answer. John Williams—residence, Norfolk.

Question. You were Register of the City at one time?

Answer. I was from 24th June, 1865, to 23d May, 1868.

Question. Did you, during that time, pay any bills for dredging, either to Mr. Parks or to M. Courtwright & Co.?

Answer. As I recollect, a bill was paid Courtwright & Co., in 1867. I think a bill was pending in 1868.

Question. What was the amount of these bills?

Answer. The first was from \$800 to \$1,000, the second was pending.

Question. What rent per annum does the city charge the Albemarle and Chesapeake Canal Company for wharf and ware-house?

Answer. From \$1,000 to \$1,100. When the city presented the bill for wharf and ware-house rent for the Canal Company to Mr. Parks, he refused to pay it until the city paid the bill due M. Courtwright & Co., for dredging. The matter was finally arranged by my giving Mr. Parks a check for Courtwright & Co's. bill, and I think the bill for rent was paid to the City Collector.

EXAMINATION OF CAPT. JOHN R. W. SLOCUM.

31st May, 1869.

Question by Mr. Moore. What is your business?

Answer. Master of a steamer.

Question. How long have you been such?

Answer. About fifteen years.

Question. Are you acquainted with the waters of the Albemarle and Chesapeake Canal?

Answer. I have been since 1860.

Question. How often have you passed through the Canal since that time?

Answer. On an average, once a week.

Question. What draft sea-going vessel could trade with safety through the Canal?

Answer. Not more than five and a half ($5\frac{1}{2}$) feet.

Question. Do you know the dredges used upon the Albemarle and Chesapeake Canal?

Answer. I have frequently seen them at work.

Question. How many months during last year were the dredges at work?

Answer. Don't know—suppose one dredge could have done the work in nine months.

Question. What do you think the exclusive privilege of towing through the Canal is worth?

Answer. I don't think it worth anything.

Question. What draft water was there in the Canal in 1860?

Answer. About the same there is now—about five and a half ($5\frac{1}{2}$) feet.

Question. Read the statement of Engineer Lathrop, on page 20, of the report of Q. Busbee, to the General Assembly, session 1861, and state whether or not the expectations of Mr. L. were ever realized? whether the Canal was completed as declared by him? and whether such draft water as he represented has ever been obtained from the Albemarle Sound to the Chesapeake Bay?

Answer. I answer unhesitatingly, no.

Question. Are you acquainted with James Lyons, and what are his attainments as a practical Engineer?

Answer. I have known him since 1860. He has no equal in this country as a practical and theoretical Engineer.

Question. Were you detained in the Albemarle and Chesapeake Canal during winter of 1860? if so, under what circumstances?

Answer. Yes, I was in command of one of the tug boats of the Company, drawing about five and a half feet water; there were two others along, having in tow some twenty-five or

thirty vessels—we were aground, vessels and all. It took about ten days to reach Norfolk from the lower end of the Canal, nine of which we were aground.

Question. Do you know D. D. Simmons? if so, for how long?

Answer. I have known him personally since 1861—by reputation for about fifteen years.

Question. What is his standing?

Answer. He is a man of honor and integrity, and is regarded as one of the best business men of the city.

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

STATE OF NORTH CAROLINA,
ATTORNEY GENERAL'S OFFICE,
Raleigh, November 29th, 1869.

HON. JOSEPH W. HOLDEN,
Speaker of House of Representatives:

DEAR SIR:—Yours containing a Resolution of the House asking an opinion on certain clauses in the Constitution therein named has been received, and you will please transmit to your Honorable body the enclosed, in answer to their request.

Respectfully,

L. P. OLDS,
Att'y General.

CONSTRUCTION OF THE HOMESTEAD LAW.

As to whether, I. Sections 1 and 2 of article 10 of the Constitution have the effect to exempt from sale the property therein mentioned, on execution or other final process, founded on a judgment arising out of tort; or a judgment founded on a conviction for crime?

II. Or, is there any interest in the land subject to execution at any time after the setting apart the "Homestead?"

To make the subject plainer, and put it beyond all cavil, let me call attention to the rudiments of the law where crime

is concerned, as an evil to society, with the way of correcting it. By putting both State, and persons wronged in their true place, and the rest of mankind as mere actors in matters *ex contractu*, nothing is easier than to see the exact object before us.

Crime, in all cases, includes an injury. Murder is an injury to the life of an individual; but the law of society considers principally the loss which the State sustains by being deprived of a member, and the pernicious example thereby set for others to do the like. Robbery may be considered in the same light; it is an injury to *private* property; but were that all, a civil satisfaction in damages might atone for it; the *public* mischief is the thing for the prevention of which, our laws have made it a high offence. In gross and atrocious injuries the private wrong is swallowed up in the public; and indeed, as the public crime is not otherwise avenged than by forfeiture of life and property, it is impossible afterwards to make any reparation for the private wrong which can only be had from the body, or goods of the aggressor.

But there are crimes of an inferior nature in which the public punishment is not so severe, affording room for private compensation also; and herein the distinction of *crime* from civil injuries is very apparent. For instance, in the case of battery, or beating another, the aggressor may be indicted for this at the suit of the King, for disturbing the peace, and be punished criminally by fine and imprisonment, and the party beaten may also have his private remedy by action of trespass for the injury which he in particular sustains, and recover a civil satisfaction in damages. The sum whereof is, punishments are incident to crimes and misdemeanors, being devised, denounced, and inflicted by human laws, in consequence of disobedience, or misbehavior in those, to regulate whose conduct such laws were respectively made, embracing the one idea of the power, the end, and the measure of *human punishment*. See Blackstone's Comm.

Now, though in practice there may be seen slight departures

from the special punishments this writer mentions as the law of England, yet by keeping in view the aim and end of all government, these very first acts of sovereignty looking out for the protection of the race, are re-produced in similar forms in every country; nor until moral suasion becomes the only rule of conduct, will we see anything different. For if we commute the gallows for imprisonment for life, the same loss of the criminal to society is felt with no great modification; and so soon as this modification is understood to be for the worse instead of the better, we must of moral necessity regard the due and old time exactions of ages and the law of God.

But there is another view in which this part of the subject should be considered. This primary law being grounded on the common consent of mankind, and even when viewed in the milder light of offences *mala prohibita*, resting on the consent of whole nations tacitly or express, investing the sovereignty with the right of making laws and of enforcing obedience by exercising upon their non-observance, severities adequate to the evil, cannot be denied or obstructed by any less comprehensive legislation. Hence, no mere Convention of nations can annul the rightfulness of punishment to be inflicted upon crimes *mala in se*, nor smaller bodies as of States entrench on the punishments *necessary* for the smaller offenders.

If then the public welfare requires that the grosser crimes be punished by both death and confiscation, and the lesser by imprisonment and a sacrifice of property, to both State and individuals for the wrong done them, any law whereby these remedies are weakened is a public and a private evil, and not to be tolerated. To relax the hold on vice by compromising for lesser punishment than reason allows, is giving reward for further crime even from the same person, making excessive moderation as bad as excessive punishment.

The question here arises, where both society, in the person of the State and individuals, are damaged by such misconduct of criminals, or wrongdoers, which shall be first redressed?

For the higher crimes, as treason, we have already said, the sovereignty claims both life and property, leaving nothing for the private citizen. In smaller offences it was for a long time the rule that the civil right to sue for the injury the party has received did not in general merge in the felony or become destroyed, but was only suspended until he performed his duty to society by an endeavor to bring the offender to justice, and after the party on whom suspicion was fixed had been convicted or acquitted without collusion, the prosecutor might support an action for the same cause as that on which the criminal prosecution was founded. 12 East 409, 17 Vesey 329.

But this doctrine was modified in the case of *Jones vs. Clay*, 1 Bos. and Pul., 191, where it was held that the Court of Common Pleas will compel a party who has proceeded *both* by indictment and action for the same assault, to make his election upon which he is to rely, and though formerly held that, in general, if the party moved for a criminal information he must abandon any action, that doctrine seems to have been broken in upon by a recent case in the Court of King's Bench, *Caddy vs. Barlow*, 1 Man. and Byl., 275, where it was held in an action by A, for a malicious prosecution by C, of an indictment against A and B, and that a rule for a criminal information obtained by A, and made absolute, was *no bar to the action*.

In New York, any person injured by a felony for which the offender is committed to the State prison can recover damages in a suit against the trustees of the felon's estate. 2 R. S., 700.

By the act of Congress, March 1797, and by that of July, 1798, National and State priority is considered, and certain preferences given in collecting debts, going to show that sovereignties reserve certain rights to themselves when contrasted with the citizen.

It thus being seen that from treason down to trespass, all through the grades of crime, the State but executes the trust reposed in her by society, as a first duty, by punishing the

guilty and protecting the innocent, and life, with liberty and property in varied degrees being responsible for this guilt as a corrective, we come directly and fairly to the question before us, and are prepared to test the constitutional law of exemption by such standard.

In the very beginning the Convention not only kept the above principles and rules in mind, but with honorable lenity protects *even parties ex contractu* by three divisions. 1. The taxes must be paid. 2. Laborers and mechanics have a lien thereon. 3. The land must have been paid for. All these are civil matters, and the Convention might have included other liabilities as a matter of grace to creditors, reaching even all debts previously contracted, but as the Homestead was alone the product of stern misfortune and designed as some protection to the debtor, only certain exemptions were to be expected. These are allowed, the State in this its sovereign meeting in convention never for a moment surrendering a jot of the more essential matters of protection, not simply to one man, but to itself and its citizenship at large, in case of crime. The protection is intended for the poor and honest debtor, not the criminal. Such law would be absurd. It would be offering *reward for crime*, and what would all other provisions of the Constitution or acts of Assembly avail if vice be let run rampant and society go to pieces in the general storm of corruption.

Therefore, no question need be raised respecting this exemption, as to the State or person *wronged*. It only relates to debt as such ; and by emphasising the language as it should be, the whole matter becomes plainer, even thereby : "the collection of any *debt*," the law taking care to say what debts should be exempted, showing that even some *civil* contracts ought to be regarded, and certainly all those weightier forms of liability which no single convention can have the authority to annul, but which would more correctly require the voice of society at large as previously said.

And could we suppose that the Convention thus undertook

to legislate away the right of self protection by modes hitherto so certainly and widely recognized, it would be lodged in the persons of the wife and children as trustees of the exempt, sufferers from crime having redress as if no attempt at invasion of the sacred and solemn rights of the principal parties in all good government—the State and the wrongful sufferer. I am sure that the Convention never supposed its conduct should be charged with so great departure from all right reason.

By examining the old insolvent law of the State, it, in its provisions carried out the like view as here stated, naming debts proper in contradistinction to dues for misconduct or guilt.

II. As to the second question, section 5, of Article X, of the Constitution explains itself: After widowhood ceases, the exemption opens to law. Section 3 shows how the children are protected and how long. The reply to the first part of the inquiry settles the whole subject, and which it is hoped may suffice for answer to the resolution of the House.

L. P. OLDS,
Attorney General.

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

COMMUNICATION FROM THE PUBLIC TREASURER.

— — —
EXECUTIVE DEPARTMENT,
Raleigh, December 7th, 1869.

To the Speaker of the House of Representatives :

SIR :—I beg leave to enclose herewith a communication from David A. Jenkins, Esq., State Treasurer. I am satisfied that this officer is ready and willing to put the General Assembly in possession of any and all information that may be in his possession in relation to the State finances, but I concur with him in his declining to appear before the House to be interrogated, as such a course would be unusual, and might be regarded as an invasion of the rights under the Constitution of a separate, co-ordinate department of the government.

I have the honor to be,

Very respectfully,

Your obedient servant,

W. W. HOLDEN,

Governor.

STATE OF NORTH CAROLINA,

TREASURY DEPARTMENT,

Raleigh, Dec. 7th, 1869.

*To the Speaker of the House of Representatives
of North Carolina :*

SIR:—I have just received a letter signed John H. Boner, Clerk of the House, requesting me to appear immediately before the House of Representatives. I am prepared, as State Treasurer, at all times to lay before the General Assembly such information as may be in my possession. I am ready at any time to answer such questions as a Committee of the General Assembly may propound to me ; but I respectfully decline to appear before the House in Committee of the Whole to be interrogated.

I have the honor to be,

With high respect,

Your obedient servant,

D. A. JENKINS,

State Treasurer.

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

REPORT OF THE COMMISSION TO ERECT A PENITENTIARY.

To the General Assembly of North Carolina :

GENTLEMEN :—The Commission appointed by an act of the General Assembly, ratified the 12th day of April, A. D. 1869, and entitled “An act to provide for the erection of a Penitentiary,” do respectfully present this first report of their labors.

The Commission met in the City of Raleigh on the 4th of May, 1869, and effected an organization by the election of Gen. Alfred Dockery as President of the Commission and Rev. G. Wm. Welker Secretary. The vacancies made by the resignation of Messrs. Patterson and Harris were filled by the Governor in the appointment of Messrs. Harrison and Lougee.

The first duty of the Commission was to select what they deemed an eligible site near the City of Raleigh. After a diligent survey of all points that seemed to offer advantages of position, &c., they made choice of a site on the lands of Miss Kate Boylan, immediately on the line of the North Carolina Rail Road, a few hundred yards west of the Raleigh Depot. By almost universal consent no finer situation could be found. It is accessible, elevated and abounds in the finest building rock. The value of the lands, consisting of 22 acres, 1 rod and 15 poles, was appraised by Commissioners appointed by the County of Wake, at \$4,468 75, or \$200 per acre. For this plat of ground, which includes a section of Rocky Branch, a

deed was obtained, together with the right to the use of the quarry outside its limits, and the deed, properly and carefully made, is recorded in the office of the Register of the County of Wake, together with the award of the appraisers.

As speedily as possible the Commission advertised for proposals to furnish the material of the stockade and buildings required by the act. The best possible terms for the State were made and workmen were immediately employed on their erection and the entire stockade excepting the gates is finished and the cell-houses are nearly completed. The area included within the stockade embraces the proposed site of the prison building and also part of the quarry.

The Commission have also received bids for four million of brick and have accepted one (\$7.50 per thousand) that in every respect is just to the State, and the brick will be furnished as rapidly as needed during the next summer. It is proposed immediately on the opening of the season to commence the erection of the cells, and bids will be advertised for as soon as specifications can be prepared.

During the months of July and August one of the Commissioners, Rev. Mr. Welker, made a visit, as was contemplated by the act, to Northern Penitentiaries and prisons. The information obtained as it respects the structure of the building, the discipline of the convicts and the conduct of the prison are found to be invaluable to the Commission in the prosecution of their work.

Mr. Scofield, of Ohio, an architect who ranks high in his profession, and who now has in charge the erection of several large State institutions of Ohio, has been selected as architect and will speedily have prepared all the designs and specifications for the prison, and will occasionally as needful visit the State and direct the work while in course of erection. The Commission deem themselves very fortunate in obtaining the services of Mr. Scofield, and have no doubt but the institution they propose to erect under his superintendence will be second to none in the country as it respects completeness of design

and as combining all the improvements of the age in prison structure.

The Commission believe that in a few weeks they will be able to receive a number of the convicts and be able at once to put them at work. It will be necessary to provide food and clothing for them in advance, and also such security for their safety as the case demands. And they have and will proceed to do this in such manner as to secure the object of the General Assembly and at the same time to use all possible economy. The Commission have appointed the following offices, with the salaries annexed, which in every case are needful to the safe-keeping and proper management of the convicts, and the salaries are much less than those of similar institutions in the North or West. An Assistant Architect and Superintendent of the work at \$1,800 per annum; a Deputy Warden, \$1,200 per annum; a Clerk at \$700; Physician at \$500; Steward at \$800; Superintendent of Hospital, \$700; Sergeant of the Guard, \$600; 24 Guards at \$365 each; 3 overseers \$500 each; 3 Gate-Keepers at \$365 each, and one Yard-Keeper at \$365. At the present only the Superintendent of the work and Assistant Architect, Mr. Hicks, and the Deputy Warden, Mr. Thompson, are on duty.

The expenses thus far incurred are, in the aggregate, \$23,107 72, of this \$4,587 was paid for the land, surveying, &c., \$1,928 26 for salaries and expenses of the Commission in attending meetings and visiting Penitentiaries, \$8,700 88 for poles, lumber, shingles, &c., \$382,00 for pair of mules, wagon and harness, \$1,118 31 for tools, feed, &c., \$5,954 20 for labor on site, stockade, cell-houses, quarry, &c.

The Commission have made arrangements for procuring supplies for the convicts and to complete the various houses and cell-houses needful to receive the convicts.

The Commissioners have regarded themselves as in the service of the State, and required to use all possible diligence to erect this work in the shortest time and with the least expense, and they are satisfied from the estimates of the architect that it

can be builded for much less than was supposed, and not to exceed \$600,000. Their purpose is to employ as much convict labor as possible on every part of it, and for the present will employ them in opening the quarries and in grading the grounds' as well as preparing the foundation of the cell building.

The Commissioners invite the most rigid scrutiny of all their transactions, and to this end their records and papers are open to the inspection of the General Assembly, and they also are ready to hear any suggestion that may aid them in this great work. A work that will be to the credit of the State—will diminish the expense of crime, and will, if properly administered, restore many fallen men to society.

The Commissioners, in the discharge of their arduous and responsible duties, have had an eye single to the honor and character of the State of North Carolina and the well-being of her people, and in the selection of officers, and all others entrusted with authority or entitled to pay, have uniformly looked to qualifications as to honesty and competency, independent of any and all other considerations. A State institution of interest to every tax payer within her borders in these times of general distrust, disquiet, and financial distress. As honest men, we can regard no other rules, and will submit to no other test.

Your Commissioners think the present law defective in several particulars. In the first place, the provision requiring contracts to be completed and approved by the Legislature before payment is made, is wrong in principle and impracticable in practice. Contractors are generally laboring men of very limited means, and can ill afford to await the tardy action of any legislative body. No work should be paid for until it is done according to contract, then, when received and pronounced satisfactory by the Commissioners appointed to superintend, direct and control, said work should be paid for in good faith and in good time. It is deemed proper to suggest a change in this particular to your honorable body. In the next place, the Committee are of the opinion the present

appropriation of \$50,000 a year is totally inadequate for all practical purposes of economy in the progress and completion of the work.

The Constitution of the State, the fundamental law of the land, requires the building of a Penitentiary—the Legislature has ordered the enforcement of that Constitutional provision—a heavy tax is levied upon the people to meet that demand. Why the need of a Penitentiary? Why this tax? Is it not the purpose of the former to punish offenders by an imprisonment certain in character and self-sustaining in its results? If such be its purpose, is it not at once apparent that the sooner it is completed the less the cost of its construction? In dispatch there is economy. In speedy performance there is gain. The sooner the wilful, determined violators of law can be removed from our County jails, now filled to repletion and burdensome to our people, to a safe confinement at hard labor, producing articles of value, and not alone consuming at other's expense the necessities of life, the better for the people. If it be non-self-sustaining, our views of economy demands its early completion; if it be remunerative, taxes will be lessened, and money saved to the State.

In furtherance of these views the Committee suggest an increased appropriation, to ensure a vigorous prosecution and completion of this commendable undertaking.

Respectfully submitted,

ALFRED DOCKERY, Chm'n.

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

REPORT OF JOINT COMMITTEE ON BANKS.

To the General Assembly of North Carolina:

The Joint Committee appointed by Joint Resolution of both Houses, dated December 21, 1868, and also Joint Resolution amendatory thereto, passed April 12th, 1869, for the purpose of investigating "the condition of the sinking and literary funds of all Banks of the State which have suspended operation and which are represented as insolvent and unsettled in which the State or any State institution is interested as stockholder or otherwise," has the honor to make the following report :

The Committee proceeded to first investigate the affairs of the Bank of North Carolina. In this institution the State is interested as a stockholder to the amount of \$502,700 dollars, which belongs to the Educational Fund. This Bank had been put into bankruptcy on the 30th day of October, 1868, upon the petition of the Board of Directors. Attention is called to a copy of this petition, accompanying this report, marked "A." This action, regarded by the Committee as extremely reprehensible in itself, was rendered still more extraordinary by the fact that the Directors took so important a step without calling a meeting of the stockholders.

The Committee think further that no corporation in which

the State is a stockholder has the moral right to go into bankruptcy. The most that could or should have been done was to have placed the Bank in the hands of a receiver.

The only reason given for placing the Bank in bankruptcy, and the haste with which it was done is that the Bank wished to defeat a suit brought against it by Mr. R. Y. McAden, of Charlotte, N. C. To defeat Mr. McAden, and to put him upon the same footing as other holders of the bills of the Bank, was, according to Mr. B. F. Moore's testimony, the only reason which induced the precipitate haste with which the Bank went into bankruptcy. "The honor of the bank was pledged to an impartial payment of bill holders." Yet as appears from the testimony of John T. Deweese, this rule was not carried out in his case, he receiving the full amount of the face of the bills he held. Thus it would appear that the intense desire for impartial payments which plunged the Bank into bankruptcy did not exist at that time, but was suddenly developed after the suit of Mr. McAden was commenced.

In regard to placing the Bank in bankruptcy, the Committee have no doubt but that it was illegally effected, the law requiring such an action should be the result of a vote of a majority of the stockholders. In this case no such vote was taken the Bank being placed in bankruptcy only by the Directors.

This point has been raised the Committee are informed and is now before the United States District Court for adjudication. The Committee regret that some action was not taken to protect the interest of the Educational Fund immediately upon the announcement of intention of the Bank to go into bankruptcy. The Sinking Fund is irretrievably lost, and the affairs of the Bank in a very unsettled condition. The assignee suing all debtors of the Bank—a proceeding although now inevitable, is the cause of much distress to the people. By these suits it is probable that a large amount of money will be realized by the Bank.

The Committee find that the Directors of the Bank of North Carolina have made a great discrimination in favor of the

Bank of the State, most of the men who were officers of the Bank of the State when that concern ceased to exist became officers of the Bank of N. C. The Bank of the State was a depositor in the Bank of North Carolina at the time of its suspension, since that time your Committee find that the Bank of North Carolina has redeemed at par value, or very near it, the bills of the Bank of the State, and has treated the Bank of the State as a special depositor, and this, in the opinion of your Committee without reason or right. How far this action may be attributable to the fact that it results to the benefit of the Directors of the Bank of North Carolina as Directors of the Bank of the State, and what influence this fact may have had in causing this discrimination in favor of this Bank, is for the Legislature to determine.

It will also be seen from the testimony of Mr. G. W. Mordecai that at the time that the Bank was employing and paying agents in Raleigh and elsewhere, and furnishing them with large amounts of money, to buy in its notes, the officers of the Bank were receiving their salaries in full notwithstanding that these agents were performing a great part of their duties.

According to the power conferred upon them your Committee employed Mr. V. C. Barringer as counsel to represent the State's interest in the matter of bankruptcy of the Bank of North Carolina. He being now absent from Raleigh your Committee are unable to send in his report at present.

The Committee summoned all persons who were supposed to know anything about the affairs of the Bank and their testimony is appended to this report.

Your Committee think that the Board of Education should be authorized to sell the stock in these Banks to the highest bidder and the proceeds invested in a secure manner.

The Bank of Cape Fear is doing no business other than winding up its affairs. The personal liability clause in its charter operating to prevent it from causing any distress to the people. Your Committee is of the opinion that this Bank is

conducting its business honorably and fairly. It will not be able to resume business in full without aid from stockholders. Your Committee ask to be discharged from further consideration of the subject.

O. S. HAYES,
J. B. RESPASS,
GEO. W. GAHAGAN.

EXAMINATIONS BEFORE THE COMMITTEE ON BANKS.

RALEIGH, N. C., March 2d, 1869.

The Committee met and organized by electing Mr. O. S. Hayes, Chairman, and issued a *subpoena* for the appearance of Mr. George W. Mordecai, President of the North Carolina Bank, on the 4th instant.

RALEIGH, March 4th, 1869.

Mr. Geo. W. Mordecai appeared, and being duly sworn, testified as follows:

Question—A list of names of Stockholders in the Bank of North Carolina?

Answer—(See list marked "B.")

Question—The number and names of debtors and creditors of said Bank on the 20th of May, 1861, and on the 21st of December, 1868, respectively, with the amounts due to, or by each?

Answer—Amount of discounted debts May,

1861,	\$2,937,132 31
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Amount of Bill of Exchange, May,

1861,	1,328,249 26
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Amount of debts due,	1,508,950 47
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I cannot give names of debtors, but they can be ascertained on reference to lists, filed in Bankrupt office.

Question—Amount of bills in circulation on the first day of May, 1861?

Answer—Amount of bills in circulation May, 1861, \$1,311,-
375.

Question—The amount of bills redeemed since May, 1865, to the present date?

Answer—Amount of bills redeemed since May, 1865, to the present date, \$929,375.

Question—The amount of bills outstanding on the first day of May, 1865, and amount now outstanding?

Answer—Amount of bills outstanding May,

1865,

\$1,192,975

Amount of bills now outstanding,

263,600

Question—When did said Bank suspend operations?

Answer—Bank suspended specie payment November 21st, 1860; declined receiving deposits June 13th, 1862; discontinued all branches, except Charlotte, August 9th, 1865; last dividend made on December 14th, 1864; went into bankruptcy October 16th, 1868.

Question—The number and names of depositors at the date of suspending operations, with amount due each depositor?

Answer—Amount of deposits April, 1862, \$1,824,217.49.

Question—The number and names of depositors, and amounts due each, on the first day of November, 1868?

Answer—Amount of deposits April, 1864, \$343,123.81.

Question—The number and amount of deposits paid during the war, and since May 1st, 1865?

Answer—Amount of deposits November 1868, \$50,975.59. I cannot give names of depositors, not having access to the books—a list of present depositors can be found in the Bankrupt office.

Question—The amount and kind of property, of whatever nature, in possession, or belonging to said Bank, and its present value?

Answer—The Bank holds Banking House, Raleigh, valued at \$11,025.

The Bank holds Banking House at Milton, value not known.

The Bank holds Banking House at Tarboro', valued at \$4,000.

Lot in Fayetteville, value not known, and some desks, chairs, books, &c., in house at Raleigh.

Question. The names of all persons, officers and others employed or serving in said Bank, since the date of suspending operations, with the amount paid each as salary or for service?

Answer. The Bank, since August, 1865, has had the following officers, a President, salary \$3,000, reduced in June, 1866, to \$2,000; a Cashier, at Raleigh, salary \$2,500, reduced June, 1868, to \$500; a Cashier at Charlotte, salary \$1,000, discontinued in 1868, and A. Harvey, salary, \$500, discontinued in 1868, and all other Agents received 5 per cent. on collections.

Question. The amount and kind of specie on hand on the 20th of May, 1861?

Answer. Specie on hand in gold and silver, May, 1861, \$490,714.61.

Question. The amount and kind specie on hand at the date of suspending operations?

Answer. Specie on hand, gold and silver, May, 1864, \$474,513.13.

Question. The Amount and kind of specie on hand the 1st of November, 1868?

Answer. Specie on hand, gold and silver, May, 1868, \$4,942.09.

Question. The amount of paper money, whether of its own, or of other Banks, on hand at the date of suspending operations and on the first of November, 1868?

Answer. Amount of Bank notes of other Banks on hand in April, 1864, was \$61,363.

None on hand in November, 1868, and no notes of the Bank of North Carolina on hand in 1864, or 1868, all being burned as fast as redeemed.

Directors received \$3 per diem while employed in business of the Bank.

(Signed,)

GEO. W. MORDECAI.

Sworn and subscribed before the Committee, March 4th, 1869.

(Signed,)

V. C. BARRINGER,

Attorney.

June 5th. The Committee met and employed R. P. Finch as expert and adept and Clerk for Committee.

Committee then proceeded to draft forms of blanks for subpoenas and other work for Committee, and adjourned to Monday, June 7, 11 o'clock A. M.

June 7th. Committee met, Judge Brooks, United States District Court, was requested to order the Assignee to deliver to the Committee such books and papers of the Bank of the State of North Carolina, as the Committee desired to investigate. Committee then adjourned.

June 8th. Judge Brooks told Committee that he would give order next day.

June 9th. No order from Judge Brooks yet.

June 10th. Sent the following communication to Judge Brooks :

STATE OF NORTH CAROLINA,

JOINT COMMITTEE ON BANKS,

Raleigh, N. C., June 10th, 1869.

JUDGE BROOKS, *United States District Court :*

DEAR SIR:—In pursuance to the request of an interview held yesterday, we respectfully ask you to instruct Mr. Dewey, the Assignee of the Bank of North Carolina, to deliver to the Committee the books and papers of said Bank for examination,

thereby saving Mr. Dewey much trouble and the Committee delay.

Very respectfully,

O. S. HAYES, *Chm'n.*

To which the following reply was received by the Chairman to be sent to Mr. Dewey :

RALEIGH, N. C., June 10th, 1869.

C. DEWEY, Esq., *Assignee of Bank of North Carolina :*

DEAR SIR :—The Committee appointed by the Legislature, have made application to me for an order directing you to surrender to them the books of the Bank, or some of them, for such inspection by them as may enable them to discharge the duty for which they were appointed. I have declined to grant such order, solely upon the ground that such order from me was unnecessary. This Committee, in my opinion, has the power to compel you to produce such books and papers in your possession as they may decide to inspect, and their order is not only binding on you, but a sufficient protection to you. The Committee may place you to much inconvenience if you do not offer to them such facilities for the examination they desire to make, without parting with the possession of the books.

Yours respectfully,

GEORGE W. BROOKS,

District Judge.

The Committee then prepared the following subpoena, and Mr. Dewey was ordered to appear and answer, June 11th, 1869 :

STATE OF NORTH CAROLINA,

To C. DEWEY, Esq :

SIR :—You are hereby required to appear before the Joint Select Committee of the General Assembly of North Carolina, raised by Joint Resolution of the same, dated December 21st, A. D. 1868, entitled “ a Joint Resolution in relation to Banks,” at office Joint Committee on Banks, in the City of Raleigh, on the eleventh day of June, 11 A. M., 1869, then and there the truth to say, and testify before said Committee touching such things as may be inquired of ; and bring with you at that time all books and papers relating to the following topics, in relation to the Bank of North Carolina :

1. The number and names of debtors May 1st, 1865.
2. The number and names of creditors May 1st, 1865.
3. The amount of bills in circulation May 1st, 1861.
4. The amount of bills in circulation May 1st, 1865.
5. The amount of bills redeemed since May 1st, 1865, and at what price per dollar.
6. The numbers of depositors on the date of suspending operations, and the amount due each depositor.
7. The amount of deposits paid during the war (from May 1st, 1861, to May 1st, 1865.)
8. The amount of deposits paid since May 1st, 1865, and to whom and how.
9. Amount of property of whatever kind in possession or belonging to said Bank, and its present value.
10. The amount of property and value May 1st, 1861.
11. The amount of property and value May 1st, 1865.
12. The names of all persons, officers and others employed or serving since May, 1861, and amount paid them for salaries and services.
13. The amount and kind of specie or its equivalent belonging to the Bank at the time of suspension, and on the 1st day of November, 1868.

14. The amount of paper money, both of their own and other Banks, on hand on the date of suspension, and on the 1st day of November, 1868.

15. The names of stockholders at the time of suspension.

16. Have any bills been issued since May 1st, 1865, if so what amount?

17. The amount and kind of specie or its equivalent belonging to the Bank May 1st, 1861, and where was it?

18. The amount and kind of specie, or its equivalent, belonging to the Bank May 1st, 1865.

19. The amount of Confederate securities belonging to the Bank May 1st, 1865.

20. The amount of Confederate securities belonging to the Bank November 1st, 1868.

21. The amount and character of loans made since May 1st, 1865.

22. Debtors to the Bank November 1st, 1868.

And this in no wise neglect under the penalty prescribed by law. Given under the hand of the Chairman of said Committee, this 19th day of June, A. D. 1869.

O. S. HAYES, *Chm'n.*

The Sheriff of Wake returned the subpoena as being duly served. Committee adjourned.

June 11th. Mr. Charles Dewey appeared, and being duly sworn, testified as follows:

I was Cashier of the Bank of North Carolina since 1858, up to the time it went into Bankruptcy, October 29th, 1868.

Question 1. Give the number and names of debtors May 1st, 1865?

Answer. I cannot give. I refer to the books, which are at the service of the Committee.

Question 2. The number and names of creditors May 1st, 1865?

Answer. Refer to the books.

Question 3. The amount of bills in circulation May 1, 1861?

Answer. April 20th, 1861, \$1,311,301.

Question 4. The amount of bills in circulation May 1, 1865?

Answer. Cannot give as to May 1st, 1865, no data, but I made up a statement August 1st, 1865, and rendered it to the Treasurer of the State, amount \$1,194,770.

Question 5. The amount of bills redeemed since May 1st, 1865, and at what price per dollar.

Answer. \$944,600, since August 1865, but cannot give amount since May 1865. The price per dollar was fixed by Board of Directors at 25 cents per dollar in gold; a small amount, if any, was redeemed from May 1st, 1865, to August, 1865, and of that amount was redeemed about \$70,000, at 55 cents in the dollar in currency, with the obligation that more would be paid if the Bank was able in the winding up. This amount was paid to Mr. Swepson, Johnson, Bro. & Co., Winslow & Elliott, and others.

Question 6. The number of depositors on the date of suspending operations, and the amount due each depositor?

Answer. I cannot give any other answer than this, my statement of April 20th, 1861, showed \$679,806.46 due depositors; any further information, I refer to books.

Question 7. The amount of deposits paid during the war, (from May 1st, 1861, to May 1st, 1865)?

Answer. I cannot tell.

Question 8. The amount of deposits paid since May 1st, 1865, and to whom and how?

Answer. \$631,375.44, paid from April 20th, 1861, to time of going into bankruptcy, October, 1868, to parties who had credits on the books—since the war they were paid in gold or its equivalent in currency, at the rate of 20 cents in the dollar—and just before the close of, and during the war, we paid in Confederate money and bonds of the State of North Carolina at par.

Questions 9 and 10. Amount of property of whatever kind in possession or belonging to said bank, and its present value?

Answer. April 20th, 1861, including property at the branches, furniture, and every thing of a real character, \$54,000.00.

Question 11. The amount of property and value May 1st, 1865?

Answer. I cannot give amount at April, 1865; but August, 1865, we sold the unfinished banking house, in Raleigh, for \$30,000 in bank notes. The one in Charlotte for \$15,000, currency of the United States. The one in Wilmington for \$7,000, currency of the United States. The one in Newbern for \$9,000 in gold, or its equivalent. The amount of property among the assets of bank in bankruptcy:—the house and lot in Raleigh, assessed at \$11,000; house and lot in Milton, \$5,000; house and lot in Tarboro', \$4,000. Vacant lot in Fayetteville, cannot tell—and a small tract of land in Moore County, valued at about \$200.

Question 12. The names of all persons, officers and others employed or serving since May, 1861, and amount paid them for salaries and services?

Answer. Cannot give officers and employees at branches in full—Mr. Mordecai, President, salary \$2,500; Mr. Dewey, Cashier, \$2,500, raised to \$3,000 in Confederate money; Mr. Anderson \$1,500, raised to \$2,000 in Confederate money; Mr. Womble \$1,000, raised to \$1,500 in Confederate money; Mr. Gales \$800. Left during the war. The officers of the principal bank received from December, 1859, to October, 1868, \$65,775. The whole of their salaries was paid in Confederate money during the war. At Wilmington, Wm. Reston, Cashier, and E. P. Hall, President. Cannot tell amount paid the officers at the branches.

Question 13. The amount and kind of specie or its equivalent belonging to the bank at the time of suspension, and on the 1st day of November, 1868?

Answer. The amount handed me as assignee in October, 1868—\$18,000 in gold; \$17,000 in 5-20's United States bonds; \$50,900 in 5-20's, which are under attachment in New York.

These bonds were purchased with the gold belonging to the bank.

Question 14. The amount of paper money, both of their own and other banks, on hand on the date of suspension, and on the 1st day of November, 1868?

Answer. We had none of ours, as we destroyed it as fast as it came in. Of other banks on hand August, 1865, about \$15,000, for which we realized about \$3,000.

Question 15. The names of the stockholders at the time of suspension?

Answer. Refer to stock ledger.

Question 16. Have any bills been issued since May 1st, 1865, if so, what amount:

Answer. Not a single bill since May 1st, 1861.

Question 17. The amount and kind of specie, or its equivalent, belonging to the bank May 1st, 1861, and where was it?

Answer. In gold and silver, principal part gold. April 20th, 1861, \$490,714.61. the larger proportion at the parent bank, and the balance at the branches.

Question 18. The amount and kind of specie, or its equivalent, belonging to the bank May 1st, 1865?

Answer. Cannot give amount in May, but in August 1st, 1865, \$366,234, gold and silver, I think at Charlotte, but returned to the parent bank immediately after. The bank lost not a cent during the war by capture or seizure, and nothing loaned the Confederate Government either in paper or coin, yet our losses in Confederate money and North Carolina bonds during the war and by its results was nearly \$1,800,000.

Question 19. The amount of Confederate securities belonging to the bank May 1st, 1865?

Answer. Was about \$1,150,000, and they came in the possession of the bank by deposits of the people—and said deposits were converted in Confederate bonds; the bank refused to take deposits after June, 1862, of any kind.

Question 20. The amount of Confederate securities belonging to the bank November 1st, 1868?

Answer. The same as in May—no change.

Question 21. The amount and character of loans made since May 1st, 1865?

Answer. None whatever.

Question 22. Debtors to the bank November 1st, 1868?

Answer. Refer to schedule of assets in bankruptcy.

June 12th. The Committee examined John T. Deweese, who was duly sworn.

Question by Mr. B. Laffin. What is your name and occupation?

Answer. John T. Deweese, member of Congress from the 4th Congressional District, North Carolina.

Question by Byron Laffin. Have you had directly or indirectly, any business with the Bank of North Carolina, if so, what?

Answer. I have. About one year ago, I sent Mr. W. H. Jones, a Notary Public in this City, with about \$3,500 of their notes to the Bank to demand payment, or have the notes protested. Mr. Jones informed me on the day following, that he had presented the notes at the counter of the Bank in this City, that they declined payment in full, but would pay me about 55 cents on the dollar in currency. I directed Mr. Jones to go back to their office and either get the face of the notes or protest them, as I had evidence which I could control to show that they had made payment in full to some of their claimants, and, unless I was paid in full I would close them up. Mr. Jones, on the next day, presented the notes, payment was refused and the notes protested, but Mr. Jones advised me not to close them up, or to sue, as he thought I would be called upon the day following and the matter settled. Upon the next day, Mr. Thomas Dewey, son of C. Dewey, the Cashier, called upon me, and after a long talk, paid me the face in full of what notes I then had on hand, and agreed to let me present, and he would pay me the full face of \$7,500 of the notes of the present N. C. Bank, which I did, and received the same amount on giving him my obligation that I would not annoy the Bank

any more; since then, Mr. Dewey, (T. W.,) has informed me that he acted as the agent of Mr. Geo. Mordecai, the President of the Bank.

Question by Byron Laffin. What evidence did you think you were possessed of to compel them to pay you 100 cents on the dollar?

Answer. I had been informed that Mr. B. F. Moore, one of the Directors of the Bank, had been paid in full for claims which he held against the Bank, and I had been getting the bills of the old Bank redeemed in full by them, through a third party for some time.

G. W. Mordecai was summoned to appear and answer on the 14th instant.

June 14th. Mr. G. W. Mordecai appeared, and being duly sworn, testified as follows:

Question. Have you been President of the Bank of North Carolina?

Answer. I was up to the time they went into bankruptcy.

Question. Give us the number and names of debtors to the Bank.

Answer. Refer to the books.

Question. Have any of the depositors been paid since May 1st, 1865?

Answer. Yes, sir.

Question. How much was paid on the dollar?

Answer. From 25 cents per dollar in specie, to 50 cents in U. S. currency.

Question. In redeeming the bills of the Bank, was the giving of an obligation to pay an additional sum, if the Bank was able, uniform?

Answer. No. At the first, we redeemed absolute from 25 cents in gold, or what we considered its equivalent in currency, and to some parties who brought suit, or threatened to do so, we gave more.

Question. Have you ever authorized the giving of more than 55 cents in currency to any one?

Answer. No, sir.

Question. Did the Bank employ a broker in redeeming bills?

Answer. They did, two or three.

Question. Who were they?

Answer. Mr. John G. Williams, of Raleigh, Mr. Edward Cohen, of Richmond, Messrs. P. A. Wiley & Co., of Fayetteville, Thos. W. Dewey, of Charlotte, and, I think the Raleigh National Bank.

Question. What per cent. was paid the brokers?

Answer. From one half to one per cent., and in some instances nothing, where we made deposits with them of gold for redemption.

Question. At the same time that you were employing these brokers, were the President, Cashier and other officers of the Bank of North Carolina receiving their salaries?

Answer. They were in Raleigh and Charlotte.

Question. How much were these brokers authorized to pay for the bills of the Bank?

Answer. No more than the Bank of North Carolina were paying at the same time.

Question. Has the Bank of North Carolina redeemed the bills of the Bank of the State?

Answer. Yes, sir, funds were deposited with the Bank for that purpose.

Question. When was this deposit made?

Answer. After the expiration of the Charter of the Bank of the State.

Question. Were you an officer of the Bank of the State?

Answer. Yes sir, President.

Question. Was the State a stockholder in that Bank?

Answer. Yes, sir, and her stock was transferred to the Bank of North Carolina.

Question. Was this deposit of the Bank special or general?

Answer. Special.

Question. Did you ever employ Thos. Dewey as agent or broker to redeem the bills of the Bank of North Carolina?

Answer. Yes, sir.

Question. Did you ever authorize him to pay 100 cents on the dollar for any amount?

Answer. Never.

Question. Did you ever know of his doing so?

Answer. Never.

Question. What amount of Confederate securities was in the Bank May 1st, 1865?

Answer. Amount, \$203,512.64 in notes and \$1,068,032.50 in bonds.

Question. Amount of Confederate securities on November 1st, 1868?

Answer. The same.

Question. Amount and character of loans made since May 1st, 1865?

Answer. Have made none since December, 1864.

(Signed)

GEO. W. MORDECAI.

Messrs. D. M. Barringer, Thomas Bragg, Wm. R. Pool and B. F. Moore were summoned to appear and answer on the 15th instant.

June 15th. D. M. Barringer appeared, and being duly sworn, testified as follows:

Question. Were you a Director of the Bank of North Carolina when it was placed in Bankruptcy?

Answer. I was.

Question. Why was the Bank placed in Bankruptcy?

Answer. On account of a judgment obtained by McAden, against the Bank in New York, and the Directors thought that it would be a saving to the bill-holders and other creditors of the Bank, a large per cent. of the assets.

Question. Are you a Director in the Bank of the State?

Answer. Yes, sir, a part of the time.

Question. Do you know whether the funds of the Bank of the State were on deposit in the Bank of North Carolina?

Answer. I think they were, but separate.

Ex-Gov. Bragg and Wm. R. Pool appeared and concurred in Mr. D. M. Barringer's statements.

B. F. Moore appeared, and being duly sworn, testified as follows :

Question. What years were you President of the Bank of North Carolina ?

Answer. From August 1865 to June 1866.

Question. What other connection had you with the Bank ?

Answer. Was a Director from the organization until it went into bankruptcy.

Question. Were you Director in the Bank of the State ?

Answer. Yes, sir, for several years before 1860, when the new Bank went into organization, and am now.

Question. Why was the Bank of North Carolina placed in bankruptcy ?

Answer. When the war ceased and I became President, I was satisfied, upon an examination of its funds, that it could not pay its debts, and being also of the opinion that a large portion of its assets, consisting of bonds issued by the State of North Carolina, during the war and for war purposes, and also, Confederate bonds would be worthless, as they eventually turned out to be, the Confederate bonds by the fortunes of the war, and the bonds of the State, by repudiation, the Bank adopted the policy of redeeming its bills and paying its debts, by paying 25 cents specie on the dollar, or its equivalent in national currency. It was impossible at that time to form any reliable opinion of the value of its assets beyond its specie and real estate. In pursuance to this policy, the Bank continued during my Presidency and ever afterwards. The bills were, after I was President, occasionally presented in very large amounts and payment at par demanded, and the Bank threatened with suit unless the demand was complied with ; under these circumstances, the Bank agreed with bill-holders, who presented them, that they would pay a certain amount in cash, as about 50 cents per dollar in currency, and deal with all other bill-holders in like manner, and if, upon winding up the affairs

of the Bank, the assets would allow an additional payment, the bill-holders, who had received a portion of their debt, should have a pro rata portion of the overplus. These contracts were put in writing and signed by bill-holders and the Bank, and the bills burned up.

While pursuing this course, Mr. R. Y. McAden, who was a stockholder of the Bank, got possession, as I am informed and believe, of \$40,000 of these bills and attached in New York bonds of the United States belonging to the Bank, seeking and claiming, not only the principal of the bills, but interest at the rate of 12 per cent. The Bank made every effort to induce Mr. McAden to withdraw his suit, and place himself upon the same footing as other bill-holders. They urged upon him that they were under the highest moral obligation to allow all bill-holders to share alike in the assets, but he still persisted in carrying on his suit.

Judge Roe, the counsel for the Bank in New York, advised the Bank as the course to be pursued to defeat Mr. McAden's purpose.

The Bank, after taking counsel, concluded that the only course left them to defeat Mr. McAden's purpose, was to go into bankruptcy, whereby, as Judge Roe advised, the claims of McAden, would be put upon the same footing of all other debts unpaid by the Bank. The Bank deemed itself in honor bound to take this course, in order to fulfill its engagements with bill-holders, with whom contracts had been made.

The Bank waited until the very last day to ascertain if they could not induce Mr. McAden to withdraw his suit.

The course the Bank pursued had been several times the subject of discussion before it was adopted ; and in contemplation of their failure to make a compromise with Mr. McAden, the matter was fully discussed, and the State Treasurer was fully apprised of the situation of the Bank, and gave his decided concurrence with all the other Directors. The course pursued had my hearty concurrence.

Mr. Wm. R. Pool was duly sworn and testified as follows :

Question. What position did you have in the Bank of North Carolina?

Answer. Director on the part of the State for several years, until Mr. B. F. Moore was made President, and after June, 1866, Director on the part of the private stockholders.

Question. What reasons were there for placing the Bank of North Carolina in bankruptcy?

Answer. I have heard Mr. Moore's reasons, and I can only give the same.

Question. Are you Director in the Bank of the State now?

Answer. I am.

Mr. B. F. Moore re-called.

Question. Were you ever employed as Attorney by parties holding bills of the Bank of the State?

Answer. Never.

Question. Did you ever receive more than 50 cents on the dollar for the bills of the Bank of North Carolina, as Attorney, or otherwise?

Answer. In 1862, I declined to receive Confederate money in discharge of debts due to me, and there was one debt due by Silas Burns, now of Chatham County, for the payment of which I had a mortgage on his foundry in this City for about \$6,000, money lent to enable him to build the foundry. Col. Heck was desirous of purchasing the foundry, to be used by him individually in manufacturing war material for the Confederate Government, and he and Mr. Burns approached me about getting a title, and I was requested to surrender my mortgage upon receiving Confederate money in discharge of the debt. I refused to do so peremptorily, and after some delay, Mr. Heck brought me a note signed by Henry and Jacob Mordecai for all that was due me except \$1,000 or thereabouts, in notes of the Bank of the State of North Carolina. I consented to the arrangement. These notes I laid away and held until the conclusion of the war. In the mean time, or very soon after the conclusion, I had gathered up about the same amount, to wit, \$1,000, in notes of the Bank of North Carolina, and

when the bank adopted the policy of paying 25 per cent. specie, or its equivalent in national currency, I presented my notes and received that amount in their redemption, and no more. I have never since then, either as owner, agent or attorney received more in payment of the bills of said banks than was allowed under the general rule of redemption, at the time allowed for all persons, and the amounts since received by myself, or for my clients, have been very small.

Question. What was the general rule?

Answer. The general rule was 25 cents in specie, or its equivalent in currency, varied as the assets of the bank became in estimation of greater value, from 25 cents in specie to 55 cents in currency—this relates to the Bank of North Carolina.

Question. Do you know of any instance in which 100 cents on the dollar was paid for the bills of the Bank of North Carolina by that bank?

Answer. I do not.

Question. What relation did the Bank of the State hold to the Bank of North Carolina?

Answer. The Bank of the State went out of its business existence January, 1860. The Bank of North Carolina came into existence by an act which was ratified February or March, 1859. It had a capital of \$2,500,000, and it had but about nine months to organize before the Bank of the State ceased to do business as a discounting bank. Upon its organization the Bank of North Carolina commenced its operations, and after that time acted as an independent institution, unconnected with the Bank of the State. The funds of the two banks, whether of specie or debts, were wholly distinct and separate; the debtors to the Bank of the State, when they desired to renew their notes, generally borrowed the money out of the Bank of North Carolina, and the proceeds were carried to the credit of the Bank of the State of North Carolina. The one bank was winding up its affairs, and the other going into business. The Bank of North Carolina held in

special deposit whatever was due from it to the Bank of the State.

JUNE 16, 1869.

Mr. G. W. Mordecai re-called, and corrected his previous testimony, by stating that Mr. Cohen was the only Broker to whom any commissions were ever paid for redeeming notes of the Bank of North Carolina. We deposited with him \$10,000 in gold and \$10,000 in currency in 1866 and 1867, for the purpose of redeeming our notes, and we paid Mr. Cohen $\frac{1}{4}$ of one per cent. He was authorized to only redeem at the same price which the bank was paying. The bank never purchased any bonds of the Confederate States, and only took them in funding the Confederate Treasury Notes, which were paid in as payments of debts or on deposit, nor did the bank ever make any loan to the Confederate Government.

Question. When were the accounts of the two banks, viz: the Bank of North Carolina and the Bank of the State, separated?

Answer. Finally, January, 1868, which appears by the last entries on the books.

Question. What amount was due the Bank of the State March, 1865?

Answer. In March, 1865, \$43,901, and in April, 1866, \$36,000, specie funds.

Question. What amount of funds has the Bank of the State now on hand?

Answer. None. Not any even to redeem the bills outstanding.

Question. Has the Bank of North Carolina paid par for bills of the Bank of the State since the war?

Answer. I can't say—but think never more than 95 per cent. in currency.

JUNE 12th, 1869.

Mr. Wm. A. Wright was summoned and appeared before the Committee and being duly sworn testified as follows :

Question. Are you President of the Cape Fear Bank and how long have you been ?

Answer. I am, and have been since about November 1st, 1861.

Question. Is that Bank doing any banking business now ?

Answer. No business as a Bank, but winding up its business. I have looked over the questions embodied in the subpoena served upon me by the Committee, and am unable to give any of the information desired with any degree of certainty, and would like to have a little time to prepare the answers. Think I can give all the information by the 13th of July next.

Question. Is the Bank redeeming any of its bills ?

Answer. Yes, sir, all that we are able to, not at par but at $33\frac{1}{2}$ per cent, with an additional covenant to pay such further per centage as the Bank may be able to pay or shall pay to its most favored creditors.

Question. Will the Bank ever be able to resume business without an additional call upon stockholders ?

Answer. No sir.

On the 13th of July, 1869, the following answers, to the questions proposed by the Committee, were received from Wm. A. Wright, President of the Cape Fear Bank :

Question. The number and names of debtors May 1st, 1865 ?

Answer. (See accompanying list marked "C.")

Question. The number and names of creditors May 1st, 1865 ?

Answer. (See accompanying list marked "D.")

Question. The amount of bills in circulation May 1st, 1861

Answer. \$1,614,872 00.

Question. The amount of bills in circulation May 1st, 1865?

Answer. \$1,778,43 00.

Question. The amount of bills redeemed since May 1st, 1865, and at what price per dollar?

Answer. \$1,409,086 00—from 25 cents to $33\frac{1}{3}$ per cent. on the dollar.

Question. The amount of deposits paid since May 1st, 1865?

Answer. \$166,334 00.

Question. Amount of property of whatever kind in possession or belonging to said Bank, and its present value?

Answer. Assessed value, \$60,000.

Question. The amount of property and value May 1st, 1861?

Answer. Real estate, assessed value, \$90,803 00.

Question. Have any bills been issued since May 1st, 1865.

Answer. No.

Question. The amount of Confederate securities on hand, May 1st, 1865?

Answer. \$2,000,000.

Question. The amount of Confederate securities on hand June 1st, 1869?

Answer. \$1,666,000.

Question. The names of all persons, officers and others employed or serving since May 1st, 1861, and amount paid them for salaries and services?

Answer. At Wilmington, W. A. Wright, President, salary, \$2,500; J. G. Burr, Cashier, \$2,000; J. W. Lauren, Book-keeper, \$1,500; J. J. Gardner, Teller, \$1,500; T. H. Hardin, Clerk, \$1,000. At Fayetteville, C. T. Haigh, President, salary, \$1,500; A. McLean, Cashier, \$500; Anderson, Teller, \$1,200; Carman, Clerk, \$1,000. The salaries of the officers at Washington, Salem, Raleigh, Greensboro', Salisbury and Asheville were about the same average throughout.

[COPY.]

A PETITION.

*To the Honorable GEORGE W. BROOKS, of the District Court
of the United States for the Pamlico District of North
Carolina :*

The petition of the Bank of North Carolina, situated in the City of Raleigh, in the County of Wake, and State of North Carolina, and district aforesaid, respectfully represent that the said Bank has transacted business for seven or eight years next immediately preceding the filing of this petition, at the City of Raleigh, within said Judicial District, where the principal Bank is located.

That said Bank of North Carolina owes debts exceeding the amount of three hundred dollars, and is unable to pay all of the same in full ; that said Bank is willing to surrender all its estate and effects for the benefit of its creditors, and desires to obtain the benefit of the act entitled " An act to establish a uniform system of Bankruptcy throughout the United States," approved March 2d, 1867.

That the schedule hereto annexed, marked " A," and verified by the oath of the President of said Bank, contains a full and true statement of all the debts of said Bank, and (so far as it is possible to ascertain,) the names and places of residence of its creditors, and such further statements concerning said debts as are required by the provisions of said act ; that the schedule hereto annexed marked " B," and verified by the oath of the President of said Bank contains an accurate inventory of all the estate of said Bank, both real and personal, assignable under the provisions of said act.

Wherefore, your petitioner prays that the said Bank may be adjudged by the Court to be a bankrupt within the purview of

said act ; and that like proceedings may be had in the premises as in said act are provided in respect to natural persons.

(Signed)

GEO. W. MORDECAI,
Pres't Bank North Carolina.

UNITED STATES OF AMERICA,
Pamlico District of North Carolina.

I, George W. Mordecai, President of the Bank of North Carolina, the petitioning debtor mentioned and described in the foregoing petition, do hereby make solemn oath that the statements contained therein are true according to the best of my knowledge, information and belief.

(Signed)

GEO. W. MORDECAI,
President Bank North Carolina.

Subscribed and sworn to before me this 30th day of October, 1868.

(Signed)

A. W. SHAFFER,
Register in Bankruptcy.

RALEIGH, Friday, October 16th, 1868.

At a meeting of the Board of Directors of the Bank of North Carolina, held at the banking house in Raleigh on this day. Present—Geo. W. Mordecai, President ; B. F. Moore, Thos. Bragg, Charles Manly, D. M. Barringer, D. A. Jenkins, Public Treasurer.

The following resolution was adopted :

At a meeting of the Directors of the Bank of North Carolina, a corporation created by act of the Legislature of the State of North Carolina, held at Raleigh, in the County of Wake, and State of North Carolina, on the 16th day of October, 1868, the condition of the affairs of said corporation having been enquired into, and it being ascertained to the satisfaction of said meeting that the said corporation was insolvent

by reason of the impossibility of collecting its debts, and that its affairs ought to be wound up: It was resolved by the Board of Directors present at such meeting, which was duly called and notified, for the purpose of taking action upon the subject aforesaid, that the President be and he is hereby authorized, empowered and required to file a petition in the District Court of the United States for the Pamlico District of North Carolina, within which said corporation has carried on its business for the purpose of having the same adjudged bankruptcy, and that such proceedings be had therein as are provided by the act of Congress, entitled "An act to establish a uniform system of Bankruptcy throughout the United States," approved March 2d, 1867.

I certify that the foregoing is a true copy of the Minutes of the Board of Directors of the Bank of North Carolina.

C. DEWEY, *Cashier*,
Secretary ex officio.

"B."

LIST OF STOCKHOLDERS OF THE BANK OF NORTH CAROLINA.

Andrews, C. W.	40 shares.	Berry, Wm. A.	10 shares
Andrews & Wash- ington,	10 "	Bernard, A. M.	4 "
Aycock, Benj.	6 "	Barden, M. A.	20 "
Austin, A. H. for Earnshardt,	4 "	Batts, Lucy L.	8 "
Austin for J. Mat- theson,	4 "	Barnhardt, George	28 "
Austin, A. H.	20 "	Burton, Francis C.	44 "
Austin, trustee M. Dowd,	4 "	Bettis, S. A.	50 "
Alexander, T. M.	10 "	Barnhardt, Geo. M.	50 "
Do. Mrs. Violet W.	40 "	Berry, B. W.	5 "
Do. Miss Mary S.	40 "	Bynum, W. P.	50 "
Do. S. P.	50 "	Biggs, Asa	60 "
Anderson, Jas.	100 "	Bridgers, R. R.	10 "
Alexander, J. F.	137 "	Brown, Matilda,	2 "
Atkinson, W. F.	6 "	Blackwood, Jno. S.	50 "
Do. T. H. Guar.	6 "	Brown, P. M.	50 "
Do. T. H.	9 "	Bell, Thos. A.	20 "
Do. Jno. D. and A. C.	10 "	Brown, J. L.	10 "
Avery, W. W., trus- tee,	13 "	Bradsher, Geo. M.	30 "
Allen, George	5 "	Branch, L. O'B.	5 "
Alexander, Alice L.	40 "	Bradsher, Jno. jr.,	50 "
Do. Mrs. M. M.	16 "	Battle, Kemp P.	60 "
Banner, Elisha	6 "	Battle, R. H.	25 "
Barringer, Rufus	50 "	Boylan, W. M.	5 "
Brevard, R. A.	100 "	Do. Miss Cath'ne	55 "
Bullock, Joshua H.	100 "	Bryan, John H.	100 "
Bangert, Sebastin	39 "	Do. James W.	43 "
Bain, Wm. T.	5 "	Bragg, Thos.	36 "
Boylan, B.	7 "	Barringer, D. M.	60 "
Brooks, W. T.	6 "	Badger, Geo. E.	100 "
Best, A. J.	6 "	Brogden, C. H.	20 "
Bullock, D. W.	6 "	Boylan, Mrs. Jane	5 "
		Baker, W. J.	11 "
		Berry, W. L.	5 "
		Barringer, John L.	64 "
		Bryan, P. A. E.	60 "
		Brem, T. H.	30 "
		Blackmer, L.	14 "
		Bryan, W. C.	6 "

"B."—(Continued.)

Burton, J. M.	16 shares	Dalton, J. H.	50 shares
Bailey, Benj.	17 "	Daves, Eliz. B.	10 "
Biggs, Kader	25 "	Davidson, G. F.	50 "
Banks, Mrs. M.	20 "	Daves, A. R. C.	13 "
Bellamy, J. D.	100 "	Doll, Jacob	6 "
Banner, John	10 "	Daves, Graham	40 "
Bordan, Erwin B.	10 "	Dunn, Walter jr.,	20 "
Clark, Henry T.	10 "	Davis, J. Sample	4 "
Cherry, Theo.	30 "	Dortch, Wm. T.	10 "
Clement, J. M.	20 "	Dancy, Caroline M.	15 "
Cawthorn, J. V.	100 "	Dancy, W. W.	15 "
Carouth, Mary	30 "	Dick, Wm. A. guar.	
Carson, Jas. H.	400 "	H. C. and E. Mc-	
Caldwell, W. P.	10 "	Queen,	30 "
Cameron, M. C.	423 "	Edmundson, Rufus	12 "
Caldwell, W. A.	22 "	Etheridge, Jos. H.	55 "
Covington, Fanny S.	10 "	Erwin, W. C.	10 "
Capehart, Cullen	20 "	Elliott, E. O.	24 "
Clarke, W. W.	12 "	Engelhardt, J. A.	10 "
Cunningham, J. W.	133 "	Everitt, John	12 "
Cochrane, Mary	20 "	Donnell, J. R.	150 "
Cameron, P. C.	10 "	Elias & Cohen,	17 "
Croom, Isaac	33 "	Fuller, Mary Ann	30 "
Cox, W. R.	10 "	Freeman, W. E.	2 "
Caldwell, D. F.	38 "	Freeman, E. B.	30 "
Crow, Harriet E.	2 "	Flow, James	6 "
Cowles, Mary C.	6 "	Frost, Sam.	6 "
Cheshire, Jos. B.	20 "	Frost, Milton S.	10 "
Council A. E.	5 "	Fanning, Thos. E.	5 "
Coble, Paul	10 "	Foreman D. M.	100 "
Collier, Geo. W.	10 "	Fife, W. W.	8 "
Cuthbert, Emmett	4 "	Fentress, F.	50 "
Cherry, Mary H.	50 "	Griffith, R. H.	2 "
Dodd, Isaac jr.,	2 "	Galloway, Thos. S.	
Dodd, Mary	2 "	guar. Mary S.	30 "
Dickson, Jno. H.	10 "	Galloway, Thos. S.	11 "
Dawson, John	230 "	Gilchrist, J. J.	25 "
Daniel, N. P.	80 "	Graham, C. W.	31 "
Dick, Robt. P.	10 "	Graham, Stephen	20 "
Devereux, T. P. and		Gray, George	25 "
John, trustees,	150 "	Gurley, W. P.	5 "

"B."—(Continued.)

Griffin, John B.	20 shares	Heileg, P. N.	20 shares
Gilmer, Sam'l. L.	6 "	Holly, A.	100 "
Graham, Emma	10 "	Hayes, W. J.	40 "
Gilmer, Robt. T.	6 "	Harrison, Rich. J.	10 "
Garland, John T.	100 "	Hutchison, J. M.	10 "
Galloway, R. R.	6 "	Hill, Thos. B.	90 "
Graham, W. A.	100 "	Hoyle, E. W.	40 "
Griswold, S. A. & Co.,	12 "	Haymore, Wm.	6 "
Gillispie, Otho	10 "	Hill, Wm. P.	3 "
Galloway, Mary S.	12 "	Haywood, E. E.	1 "
Garland, J. T. trus.		Haywood, Geo. W.	100 "
of A. Jeffries,	25 "	Harrison, B. S.	79 "
Gordan, Grafton	6 "	Holleman, W. H.	91 "
Grimes, Wm. trus.		Dewey, Thos. W. & Co.,	10 "
of Eliz. Grimes,	200 "	Hall, Eli W.	1 "
Green, George	6 "	Holt, Thos. M.	75 "
Green, W. E. & wife,	2 "	Haywood, Rich. B.	10 "
Gorman, A. M.	3 "	Henry, Mary M. Ex.	31 "
Graves, Solomon	6 "	Hogg, Sarah L.	35 "
Hinton, Misses G. & S. B.	9 "	Howard, Geo. jr.,	10 "
Harrison, J. M. F.	1 "	Harris, Franklin	6 "
Huske, W. A.	3 "	Hartshorn, Sylvanus	12 "
Hale, E. J.	10 "	Harris, Chas.	48 "
Hyman, Miss E. B.	13 "	Hood, Wm. H.	6 "
Haywood, Alfred W.	1 "	Hesselbach, H. J.	6 "
Haigh, Geo. H.	5 "	Haywood, Jane F.	24 "
Haywood, Hubert	1 "	Holmes, M. L.	12 "
Hinsdale, S. J.	20 "	Holt, Jas. S.	6 "
Haywood, E. Burke	1 "	Horne, J. L. trustee for Francis Wil-	
Hardie, Robt. W.	3 "	liams,	10 "
Hall, Wm. H.	5 "	Hughes, John F. and E. G. Daves, trus.	
Hart, T. H.	20 "	for Mrs. Ellis,	40 "
Hall, E. D.	6 "	Jones, Reuben	50 "
Hardy, H. H.	36 "	Johnson, H. C.	20 "
Hall, E. Jane	4 "	Jones, Fred. J.,	30 "
Haughton, B. F.	55 "	Irwin, Jas. P. Ex.	
Holmes, Reuben J.	70 "	John Irwin,	200 "
Hall, J. H.	4 "	Johnson, Sidney X.	50 "
Hollister, W.	10 "		

B.—(Continued.)

Jones, Wesley	20 shares	Lindsay, J. M.	14 shares
Jeffreys, J. G.	10 "	Leake, Jas. P.	42 "
Jeffrey, Wm.	30 "	Lee, Jas. R.	44 "
Jones, Mary E.	6 "	Lewis, A. M.	114 "
Jones, Alfred	62 "	Leach, Thos. C.	20 "
Jenkins, Thos.	90 "	LePage Brothers,	6 "
Jones, Seth	200 "	Little, John P.	8 "
Holt, E. M.	80 "	Morrisay, W. H. trus.	
Irwin, John P.	8 "	E. J. Merty	10 "
Kornegay, W. F.	10 "	Matthews, W. G.	7 "
Irwin, James	1 "	McKimmon, Jas.	6 "
King, Coffield	2 "	McNeill, George	10 "
Kramer, Fanny	25 "	Murphy, Patrick	10 "
Kennedy, Chas.	4 "	Malloy, Neill	20 "
Kyle, James	60 "	Matthewson, S. M.	10 "
Kanady, A. A.	60 "	McNeill, W. C.	18 "
Kerr, Saml.	46 "	Martin, Mary	6 "
Knight, Wm. H.	10 "	Mendenhall, Marcus	3 "
Kerr, C. N.	5 "	McIntyre, William	10 "
Lougee, A. L.	20 "	Mendenhall, C. P.	20 "
Lander, Geo.	55 "	McRae, James A.	12 "
Lutterloh, W. H.	25 "	Moore, W. J.	5 "
Long, Drury	60 "	MacRae, Donald	
Leecraft, Benj.	15 "	Trustee,	6 "
Laws, George	8 "	MacRae, Donald	5 "
Lowrie, M. A.	44 "	McLaughlin, Alex.	69 "
Long, Wm. S.	8 "	Martindale, Henry,	6 "
Lindsay, Jesse H.	267 "	McIver, Evander	50 "
Lindsay, Jed. H.	83 "	Myers, J. S.	1 "
Lander, Geo. adm'r		McGee, Thaddeus	10 "
J. Smith,	7 "	McDaniel, Thomas	39 "
Lamont, D. A.	10 "	McGee, Thaddeus	
Lamont, A.	10 "	Trustee of Mary	
Lea, Sidney S.	150 "	Long,	6 "
Lougee, W. J.	41 "	Myrover, A. L.	100 "
Lander, Wm.	25 "	Murphy, Jas. S.	30 "
Lewis, Martha E.	100 "	McPherson, J. Q.	10 "
Lyon, B. F.	60 "	Murray, D. C.	10 "
Lawrence, Josiah	36 "	Mitchell, Alex.	29 "
Lewis, Mary J.	2 "	Mitchell, Thos. J.	6 "
Lutterloh, James B.	5 "	Mooring, William	55 "

B.—(Continued.)

Mitchell, Jas. S.	100 shares	Orr, M. M.	30 shares
Murphy, Robert	6 "	O'Rorke, John	70 "
Moore, Wm. A.	6 "	Owen, Thomas R.	25 "
MacRae, P. L.	5 "	Phillips, James	3 "
Maurey, E.	14 "	Pemberton, E. L.	10 "
Melchor, C.	26 "	Poisson, Wm. M.	2 "
Murphy, Andrew	6 "	Perry, B. L.	5 "
Moss, W. H.	15 "	Pearce, Penelope	28 "
McBee, Vardry A.	20 "	Perry, W. D.	5 "
Murphy, Eliza	5 "	Perry, Isaac	10 "
McBee, Jane	5 "	Pigford, E. T.	2 "
Morrison, R. H.	100 "	Pigford, J. B.	4 "
Morehead, J. L.	54 "	Poole, Wm. R.	55 "
Murphy, James	12 "	Peace, Wm.	173 "
Morrow, B.	30 "	President and Di-	
Murphy, Mary	12 "	rectors Literary	
Miller, A. C.	10 "	Fund,	5,027 "
Montague, Alex.	14 "	Pittman, N. J.	171 "
Morehead, J. M.	50 "	Pittman, Martha	60 "
Means, W. C.	61 "	Parker, Jesse W.	20 "
Morrison, J. S.	10 "	Pharr, W. W.	6 "
Murphy, Wm.	24 "	Primrose, Eliza	3 "
Moore, Mary H.	40 "	Poole, Ransom	15 "
Mitchell, Anderson	50 "	Primrose, A. S.	6 "
McGeehee, Thos.	100 "	Patterson, Saml N.	12 "
McGeehee, M.	10 "	Parker, Sarah Tr.	5 "
Manly, Charles	10 "	Rex Hospital Fund,	76 "
Mordecai, G. W.	100 "	Reid, Ansolm	10 "
Montague, H. W.	100 "	O'Reilly, P.	20 "
McAden, R. Y.	50 "	Rose, Lewis C.	1 "
McKee, Wm. H.	20 "	Ray, D. A.	13 "
Mitchener, A.	100 "	Rose, W. A.	5 "
Moore, B. F.	135 "	Ray, D. H.	2 "
McDearmid, D.	40 "	Ray & Pearce,	4 "
McAden, J. H.	10 "	Robinson, B. W.	10 "
Northcutt, A. J.	10 "	Rose, James T.	5 "
Norwood, J. W.	34 "	Rose, J. M. Jr.,	1 "
McQueen, Edmund	15 "	Rose, John M.	10 "
Outlaw, M.	6 "	Rose, G. McN,	1 "
Overton, James	10 "	Roscoe, John P.	50 "
Olive, Wm. H.	10 "	Rutherford, John	145 "

B.—(Continued.)

Rutherford, Nancy	145 shares	Sharpe, Leander Q.	10 shares
Reade, E. G.	50 "	Stimson, E. B.	6 "
Rosebro, John A.	20 "	Simonton, A. K.	50 "
Royster, M. B.	60 "	Stockton, M. B.	20 "
Rogers, Mary Ann	25 "	Siddle, C. G.	100 "
Rogers, John W.	7 "	Smith, H. S.	15 "
Redmond, J. M.	52 "	Sullivan, A. M.	6 "
Reid, Daniel S.	29 "	Simonton, J. R.	16 "
Root, C. B.	6 "	Selby, T. H. Guar.	3 "
Rand, Parker	33 "	Smallwood, Ed. F.	48 "
Rogers, Robinson		Shaver, John J.	10 "
Ex. M. J. Hay-		Selby, T. H.	20 "
wood,	24 "	Saunders, R. M.	7 "
Roberts, W. W.	3 "	Strange, Marge.	10 "
Rudisill, James C.	6 "	Smith, Penelope,	20 "
Roberts, B. B., Tr.		Stanley E. R.	80 "
children J. H.		Smallwood, Ed. F.,	
Jenkins,	200 "	trustee,	16 "
Smith, James N.	10 "	Smith, Mary A.	250 "
Smith, John	5 "	Shurley, Elizabeth	50 "
Steele, A. W.	50 "	Staton, Baker	137 "
Shepherd, J. G.,		Staton, Henry L.	8 "
ad. J. B. Fergu-		Settle, Caroline L.	26 "
son,	3 "	Saunders, D. W.	20 "
Starke, O. P.	10 "	Smith, Thos. McG.	
Smith, J. C.	2 "	(guardian,)	13 "
Smith, Eliza	20 "	" " "	13 "
Sloan, Charles	123 "	" " "	13 "
Smallwood, T. J. P.	40 "	Scott, Wm.	12 "
Southall, John W.	100 "	Settle, Henrietta W.	6 "
Springs, Henry G.	80 "	Smith, Maurice T.	12 "
Steele, A. C.	100 "	Smith, Madison D.	6 "
Smith, T. McG.	120 "	Smith, W. N. H.	6 "
Springs, John L.	15 "	Steele, Rob't J. jr.	6 "
Springs, Mary P.	16 "	Strong, Harriet H.	14 "
Springs, A. B.	50 "	Stirewalt, Jacob	6 "
Sample, W. A.	20 "	Staton, H. L., ad'm,	
Swain, Lyndon	10 "	Betts,	6 "
Scott, Levi M.	11 "	Steele, Robt. J., sr.	6 "
Scott, Wm. L.	7 "	Shaw, Jno.	31 "
Shober, Charles E.	37 "	Smith, W. R.	8 "

B.—(Continued.)

Smallwood, Ed. F.,		Webb, Thos.	8 shares
guardian Jas. B.		Walton, T. Geo.	51 "
Smallwood,	16 shares	Walton, Nancy	16 "
Simonton, Joseph,		Walton, Martha	10 "
Alice and Ross,	6 "	Walton, W. M. trus-	
Simonton, Eugenie,	6 "	tee of Eliz. Avery,	10 "
Swepson, Geo. W.	40 "	Walton, Wm. M.	30 "
Tillinghast, Thos. H.	5 "	Waugh, Jesse A.	10 "
Torrance, David	10 "	Williams, Eliz.	1 "
Turner, Mary J.	5 "	Withers, W. B. Jr.,	10 "
Thompson Lewis	316 "	Withers, W. B.	100 "
Taylor, Jonathan S.	11 "	Wilson, Jos. H.	100 "
Tate, H. A.	17 "	White, Wm. E.	120 "
Tate, Sam'l	125 "	Wiley, Shannon,	30 "
Thompson, G. W.	50 "	Wilson, Jno.	100 "
Terry, Dabney,	10 "	Watkins Sam'l,	210 "
Terrell, Jno. C.	10 "	Winstead, C. S.	50 "
Temple, Burwell,	10 "	Walker, Lucy M.	40 "
Tinnen, J. W.	10 "	Watson, J. W. B.	200 "
W. Ballentine, g'rd.		Wilder, Gaston H.	40 "
of A. Turner,	30 "	Womble, Jordan,	30 "
W.H.&R.S.Tucker,	25 "	Wheaton, Mary R.	15 "
Tucker, Mrs. L.	11 "	Weddell, Matthew,	10 "
Taylor, R. P.	17 "	Williams, David	50 "
Timberlake, J. P.	6 "	Watkins, J. D.	10 "
Tate, S. McDowell,	215 "	Wiley, Sam'l H.	13 "
Utley, Joseph	20 "	Wharton, David	8 "
Univ'sity of N. C.,	2,000 "	Webb, Lewis,	2 "
Warden, J. T.	25 "	Winder, Jno. C.	6 "
Winston, Warren	60 "	Walters, Wm. T.	12 "
Warden, Jno. K.	5 "	West, Mary, Kate,	
Wooster, Jno.	35 "	Jas. and Nicholas,	5 "
Wright, W. A.	5 "	Whitaker, Willis	6 "
Washington, Rich'd	50 "	Wait, Sam'l,	10 "
Wilson, Turner	20 "	Williams & others,	17 "
Wynne, Jas. M.	50 "	Welsh, L. E.	6 "
White, Susan	5 "	Yorke, A. J.	25 "
White, Emma C.	5 "	Young, Rob't T.	60 "
Wilson, Etherton	6 "	Young, Jas.	10 "
Watson, Thos. C.	13 "	Yates, Wm. J.	25 "
Wilson, Alex.	20 "	Young, Sarah	100 "

B.—(Continued.)

Young & Wriston,	40 shares	Boylan, Weldon,	7 shares
Young, Ruth	10 "	Boylan, Jno. S	3 "
Young, Jno.	20 "	Davidson, Ross, Lee,	
Bryant, D. M.	2 "	Geo. and Nancy,	17 "
Boylan, Weld. & Kate	5 "	Morrison, Wm. H.	5 "

"C."

LIST OF DEBTORS.

W. H. Allen,	\$ 100	N. Bonham,	300
Jas. Alderman,	500	A. D. Cazeaux,	200
T. H. Ashe,	150	B. V. Carroll,	228 44
T. O. Brown,	3,500	Commissioners Town,	4,000
J. B. Brown,	375	L. D. Cherry,	325
J. C. Barden,	400	Coslin & Morris,	4,000
J. E. Bunting,	500	Junius Davis,	1,450
J. G. Burr,	950	C. A. Fulton,	2,400
L. N. Barlow,	775	J. L. Fleming,	900
P. B. Baker,	3,495	J. G. Green,	275
B. C. Barden,	270 25	T. F. Green,	150
J. A. Baker,	450	E. Geer,	600
J. Bishop,	175	Jo. Green,	750
A. C. Bradley,	375	J. D. Gardner,	350
R. Burr,	450		
T. M. Gardner,		J. L. McMillan,	
J. S. Green,		J. C. McIlhenny,	
R. Galloway,		T. C. Miller,	
J. Gappord,		J. M. Monk,	
Grant & Harrell,		F. J. Moore,	
T. H. Hardin,		J. McCormick,	
T. P. Hall,		T. C. Moore,	
J. H. Haughton,		A. S. McNeill,	
J. L. Holmes,		J. S. Miller, Chairman County	
W. M. Harriss,		Court New Hanover,	
A. J. Hill,		Walker Meares,	
F. J. Hill,		H. R. Nixon,	
J. H. Hill,		J. T. Nixon,	
T. Hill,		G. Prigge,	
G. Holmes,		O. G. Parsely, Jr.,	
O. D. Holmes,		F. W. Potter,	

B. J. Jacobs,
J. S. James,
J. B. Kelly,
S. E. London,
M. London,
J. E. Lippitt,
T. B. Lippett,
S. Lloyd,
J. R. Larkins,
J. C. Latta,
D. Lewis,
O. P. Meares,
E. G. Meares,
J. M. Lauren,
W. C. Strong,
F. Thompson,
A. J. Tray,
J. J. Litchford,
Samuel Rowland,
Jesse Howell,
T. G. Whitaker,
George Little,
W. H. Avera,
T. D. Sneed,
T. T. Clifton,
H. B. Whitaker,
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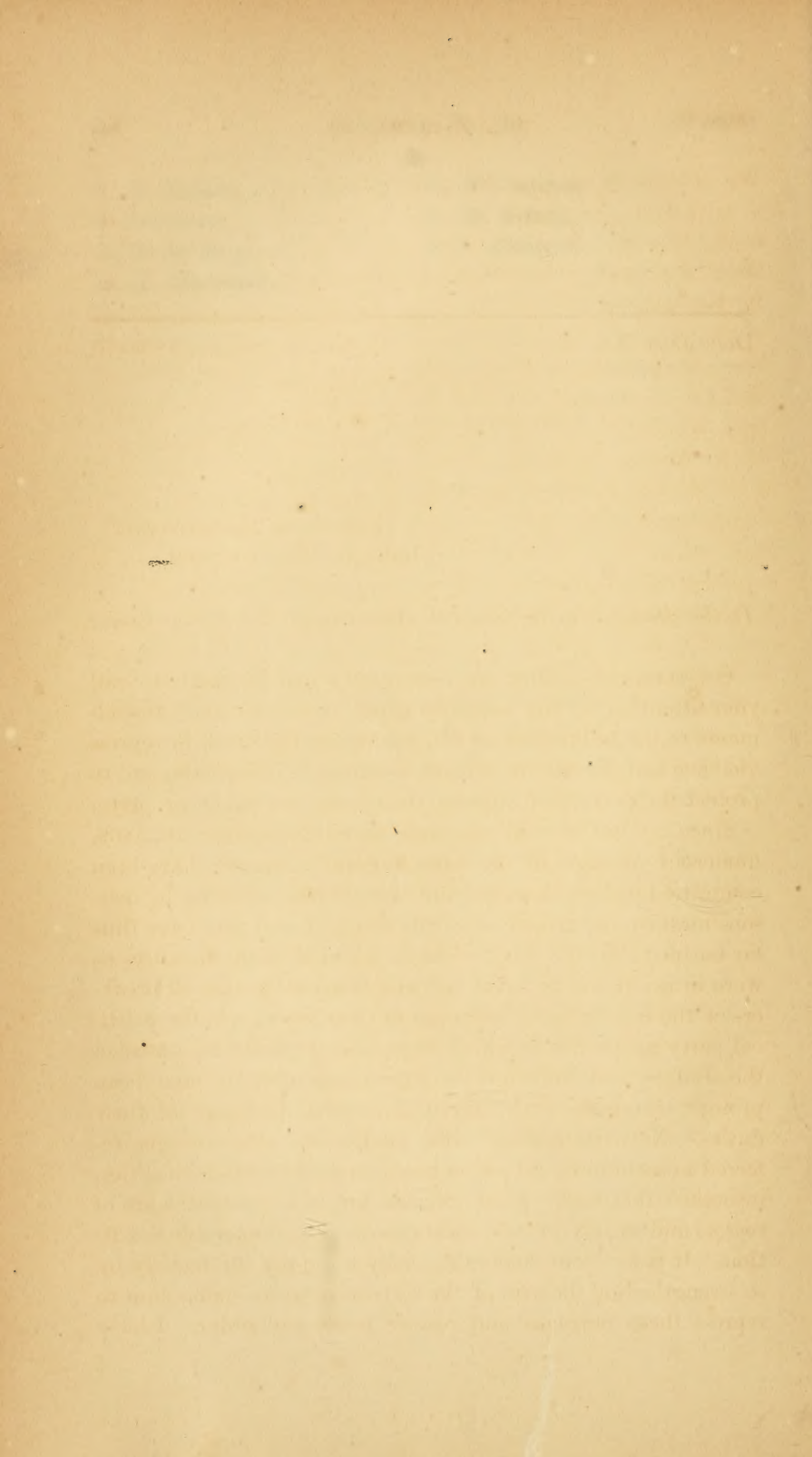
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T. C. Hansen,	S. W. Terrabee,
S. T. Hill,	John Bonner,
J. Q. A. Beasley,	G. F. Wilson,
J. T. Martin,	J. S. Gibson,
H. J. McCandless,	F. H. Sherman,
Salem M. Insurance & Co.,	R. W. Wharton,
U. Hand,	A. Sharpe & Co.,
A. Brooks,	Truitt & Bro.,
Huffman Brock,	M. E. Conoly,
T. W. May,	S. T. Alldred,
W. L. Scales,	W. W. Patterson,
T. J. Wilson, Treasurer,	H. H. Butner & Co.,
W. F. Miller,	V. Hammony,
T. S. Martin,	J. M. Mock,
Union Man'g Company,	H. W. Crow,
A. R. Homesley,	J. C. Norman,
J. W. Smith,	M. M. Transan,
G. S. Hanston,	S. Johnson,

C. B. Ziestan,
S. Leierman,
R. D. Golding,
A. H. Thompson,

R. W. Barbee,
A. M. Grant,
J. J. Alderton,



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EXECUTIVE DEPARTMENT,
Raleigh, Dec. 16, 1869.*To the Honorable, the General Assembly of North Carolina :*

GENTLEMEN :—Allow me respectfully and earnestly to call your attention to the necessity which exists for such amendments to the militia law as will enable the Executive to repress violence and disorder in certain localities in this State, and to protect the persons of citizens, their lives and their property.

Since my last annual message, dated November 16, 1869, numerous outrages of the most flagrant character have been committed upon peaceable and law abiding citizens, by persons masked and armed, who ride at night, and who have thus far escaped the civil law. I have adopted such measures as were in my power to ferret out and bring to justice all breakers of the law, without reference to their color or to the political party or parties to which they belong ; and I am satisfied the Judges and Solicitors in the various circuits have been prompt, energetic and impartial in the discharge of their duties. Notwithstanding this, gentlemen, the outrages referred to seem to be rather on the increase in certain localities, insomuch that many good citizens are in a constant state of terror, and society in said localities is in a deplorable condition. It is for your honorable body to apply the remedy by so strengthening the arm of the Executive as to enable him to repress these outrages and restore peace and order. I have

confidence in your wisdom, in your regard for law, and in the disposition which I feel sure exists in every member of your honorable body to adopt such measures as will speedily put an end to the evils complained of.

[I have the honor to be, gentlemen, with great respect,

Your obedient servant,

W. W. HOLDEN,

Governor.

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TERM OF GENERAL ASSEMBLY.

OPINION OF CHIEF JUSTICE PEARSON.

STATE OF NORTH CAROLINA,
SUPREME COURT,
Raleigh, Jan. 10th, 1870.

*To the Honorable TOD R. CALDWELL, Lieutenant Governor,
ex officio President of the Senate, and the Honorable JO. W.
HOLDEN, Speaker of the House of Representatives:*

The joint resolution of the Senate and House of Representatives, requesting the Justices of the Supreme Court, in substance, to give their opinions as to the terms of the present members of the General Assembly, that is, according to the provisions of the Constitution do they hold their seats until the first Thursday in August 1872, or are other members to be elected on the first Thursday in August 1870?—has received full consideration.

The question is more easy of solution now, when it can be treated as a dry matter of constitutional law, than it might be hereafter when complicated with collateral considerations. Should the General Assembly, for the two years referred to,

be composed of new members, and it turns out that the body ought to have been composed of the present members, there will be a state of confusion. On the other hand, should the General Assembly, for the two years referred to, be composed of the present members, and it turns out that the body ought to have been composed of new members, there will be the like confusion ; so it is of importance to have the matter settled at the outset.

A preliminary question presented itself—do the constitutional duties of the Justices forbid a compliance with this request of the General Assembly ?

I am relieved from all doubt by the precedent in the matter of *Waddell vs. Berry*, 9 Iredell's reports, appendix—which is in point. There the right to a *seat in the Senate* was contested and the Judges of the Supreme Court, at the request of the Senate, expressed opinions not as a *Court* but as *Judges*, as to the right of certain citizens to vote ; and this action of the Judges is put on the ground that the main purpose being to determine the right to a seat in the Senate, although "not an act of official obligation the Judges deemed it a duty of courtesy and respect" to comply with the request. Here the main and only purpose is to aid the General Assembly to determine the right to *all of the seats in both Houses*. So the question is of the same character and of much greater magnitude. The action of the Judges of the Supreme Court in giving an opinion on the meaning of the word "crime," at the request of Governor Worth, is also a precedent in point. (See "In the matter of Hughes, Phillips' Reports, 64.") The action of the Justices of this Court in declining to express an opinion, at the request of the General Assembly, in regard to a Homestead Act, affecting pre-existing debts, is not relevant to the subject now under consideration, for it is put on the ground that the question involved "the rights of property," and "would in all probability come before the Court for decision," and the Justices were of opinion that their constitutional duties did not permit them to pre-judge it.

The Constitution fixes the terms of office as a general and fundamental principle—that is to say—of the Governor four years—of the Justices of the Supreme Court, (I confine myself to these to avoid prolixity) eight years—of the members of the General Assembly two years. Whoever alleges an exception to this general principle must assume the burthen of proving it. 1. In regard to the Governor, justices and members, elected at the first election, a reason appears on the face of the instrument, for making an exception to the extent of adding a few months to the beginning of the terms. This election was ordained to be held “when the vote shall be taken on the ratification of the Constitution,” which would be more than two years before the first regular election, and it was necessary to add some time to the beginning of these terms, to make the subsequent terms fit in and run on smoothly. So this exception is admitted.

2. In regard to the Governor, a reason appears on the face of the instrument, for also adding from August to the first day of January next ensuing, to the end of his term—his successor is not to be inaugurated until that day. So this exception is admitted.

3. In regard to the Justices of the Supreme Court, no reason appears on the face of the instrument for making an exception by also adding two years to the end of their terms—and, in the absence of a reason, it will require words so plain and positive as to admit of no other reasonable construction, to have that effect—Article 4, section 32, of the Constitution, is relied on :

“The officers elected at the first election held under this Constitution shall hold their offices for the terms prescribed for them respectively, next ensuing after the next regular election for members of the General Assembly. But their terms shall begin upon the approval of this Constitution by the Congress of the United States.”

The next regular election for members of the General Assembly is to be held on the first Thursday in August, 1870—

Article II, section 29. So the Justices are to hold their offices for the terms prescribed for them respectively, "*next ensuing after*," that date. These words are plain and positive and admit of no other construction. There is no other section which conflicts with or can controvert this construction, and it will be observed the wording differs very materially from that in respect to the members of the General Assembly. I am led to this conclusion, although no reason for adding to the term appears on the face of the Constitution, simply because *it is so written*. This is the only matter which has any weight in my judgment, in support of the position that some time is also to be added to the end of the terms of the members of the General Assembly elected at the first election, and a full and candid exposition of my conclusion upon that subject, made a reference to this necessary and proper.

4. In regard to the members of the General Assembly no reason appears on the face of the instrument for making an exception by also adding two years to the end of their terms, in fact, giving them two terms instead of one, and, in the absence of a reason, the question is narrowed down to this: Does the Constitution use words so plain and positive as to admit of no other reasonable construction? The *onus* is on those who allege an exception, and the burthen is made heavier (as we shall see) by a provision in direct opposition to a double term.

To sustain the exception the second clause of section 27, of Article II, is relied on. It is in these words:

"SEC. 27. The terms of office for Senators and members of the House of Representatives shall commence at the time of their election; and the term of office of those elected at the first election held under this Constitution shall terminate at the same time as if they had been elected, at the first ensuing regular election."

The words of the second clause are general and vague; and to make sense of it, the rules of construction must be resorted to. "First ensuing regular election"—"*ensuing*" what date?

the adoption of the Constitution, or the first election of members of the General Assembly? It is not necessary to say which, as both took place on the same day. "Election" of whom? of members of the General Assembly—that being the subject on hand, this clause should read:

The term of office of those elected at the first election held under this Constitution shall terminate at the same time as if they had been elected at the first regular election *of members of the General Assembly, ensuing the adoption of this Constitution.* Filling up the sense in this way, the meaning turns on the word "election." An election is the act of choosing, and taking the word literally new members are to be actually elected at the first regular election ensuing the adoption of the Constitution, at which very time by a fiction, the members before elected are to be considered as having been elected. And the effect of this election of new members, according to the first clause of this section—"the terms of office of Senators, &c., shall commence at the time of their election,"—and the last clause of the 29th section, "the members then elected shall hold their seats until their successors are elected at a regular election,"—will be to put an end to the term of the first set of members the very instant they are, by a fiction, supposed to be elected—the fiction having answered the purpose of adding a few months to the beginning of their terms.

This is clearly the result of a literal construction. To meet the difficulty, it is said the word "election" is not to be taken literally or to imply an actual election of new members, but, by a fair construction, as having reference only to the regular time *for holding* the ensuing election, which, however, is not actually to be held, and it ought to be read the "first ensuing election *day.*" There is nothing whatever to support this construction. The 27th section, taken by itself, does not sustain an exception to the general principle, and looking at other sections the construction contended for is not only unsupportable, but is excluded, for (passing by the 28th section, which has no

bearing and is evidently out of place) the 29th section provides:

“SEC. 29. The election for members of the General Assembly shall be held for the respective Districts and Counties, at the places where they are now held, or may be directed hereafter to be held, in such manner as may be prescribed by law, on the first Thursday in August, in the year one thousand eight hundred and seventy, and every two years thereafter. But the General Assembly may change the time of holding the elections. The first election shall be held when the vote shall be taken on the ratification of this Constitution by the voters of the State, and the General Assembly then elected, shall meet on the fifteenth day after the approval thereof by the Congress of the United States, if it fall not on Sunday, but if it shall so fall, then on the next day thereafter; and the members then elected shall hold their seats until their successors are elected at a regular election.”

Here it is ordained that an election for members of the General Assembly shall be held at the place and in the manner prescribed by law, *on the 1st Thursday in August, 1870*. The words are plain and positive—there is no room for construction. An election for members of the General Assembly must be held on that day, or else the Constitution will be violated. This is a stubborn fact. It presents an insurmountable obstacle to the construction giving a double term. A new set of members must be elected in August, 1870. If the present members are to hold over, there will be two sets of members for the same term!!! The only mode of escape from this absurdity is either to follow a literal construction of the second clause of the 27th section, by which the terms of the present members terminate at the time of the election of a new set of members, or else to treat it as surplusage—being ambiguous, unnecessary, (for the last clause of sec. 29 covers the same ground,) and conflicting with the 29th section, which is expressed in plain and positive words, is of vital importance, as containing the provisions necessary to put in operation the

Legislative branch of the government—and is complete of itself, and needs no aid from the 27th section. I am of opinion that by the true construction of the Constitution the terms of the present members of the General Assembly terminate on the 1st Thursday in August, 1870. Such would be the construction, if it were proved, supposing the evidence admissible, that it was the intention of the makers of the Constitution, to give the members elected at the first election, terms of four years. "In putting a construction upon an instrument, the question for the Court is, not what the draftsman means, but what the words of the instrument mean. It sometimes happens, for this reason, that the draftsman is less to be relied on than almost any other person to construe an instrument, whether it be a Constitution, statute, deed, or will." *McAdoo vs. Benbow*, 63 N. C. Reports, 464.

There is another question, which, although not covered by the words of the resolution, grows out of it, and is so intimately connected with the purpose of the question proposed as to call for the expression of an opinion, in order to cover the whole ground.

The 29th section, article 2d, has this clause: "But the General Assembly may change the time of holding the elections." Does this confer power to change the time in respect only to the day, or the month of *years* which are fixed by the Constitution—or to confer power, as well as to change *the years* in which elections for members of the General Assembly are to be held?

The former is the true construction:

1. It harmonizes with the clause next preceding, which requires an election to be held on the first Thursday in August, 1870, and "every two years thereafter," and with sections 3 and 6—Senators and members of the House of Representatives "shall be biennially chosen by ballot."

2. It satisfies the words and gives to them a suitable meaning, i. e., power to change the day or the month, should a change in this respect be deemed expedient; for time, in these

particulars, is mere matter of detail, and is not of the essence of the thing.

The latter construction is excluded by many grave considerations :

1. Although the words are broad enough to include power to change the time in respect to *years*, this construction is in direct conflict with the clause next preceding, and with sections 3 and 6. And a construction which confers power on the General Assembly to *alter the Constitution*, is inadmissible.

2. The connection in which this clause is inserted restricts its meaning, and shows that it is confined to mere matter of detail—the places or manner of holding elections, as by one, two or three Judges, and the like details.

3. It is assumed in the next preceding clause, that the General Assembly has power to prescribe the *manner* of holding elections, but this does not extend to the manner of voting *viva voce* ; for voting by ballot is a fixed principle of the Constitution, and is of the essence, and not matter of detail. So, biennial elections is a fixed principle of the Constitution, and the power to direct elections to be held annually or every five or ten years, instead of every two years, is as clearly excluded as the power to prescribe the manner of voting *viva voce*.

4. Under this broad construction, the present members of the General Assembly, if so minded, might put off the time of the election for ten, twenty or thirty years, and as by the Constitution they hold their seats until their successors are elected, they may hold their seats as long as it is their pleasure to do so !! Any one looking at the proposition naked, can see its fallacy. The power must be restricted to the day or month, treating the years as fixed by the Constitution, or else it is unlimited. There is no middle ground.

This is the restriction put on members of the General Assembly ; but the present members are more restricted. I do not believe they have the power to change the day, or the month, or the year, for it is written in the Constitution—" the

election for members of the General Assembly shall be held on the first Thursday in August, 1870."

Respectfully,

R. M. PEARSON.

I concur in the opinion of Chief Justice Pearson.

Respectfully,

ROBT. P. DICK.

COMMUNICATION FROM JUDGE READE.

To the Honorable the General Assembly of North Carolina :

I have received, through the Secretary of the Senate, the resolution of your honorable body, passed December 11th, 1869, requesting the Justices of the Supreme Court to indicate their opinions, as to the term of service of the present members of the General Assembly.

At the last session of your honorable body, a like request was made for our opinion in regard to the homestead, and we then declined to give any opinion for reasons which we then stated. And I supposed that our action then was decisive, and that it would be a precedent on all future occasions. The Justices, however, are not unanimous in that view of our duties, and as I still adhere to that precedent, I think it proper that I should give my reasons for it.

My learned brother, the Chief Justice, cites two instances in which the Judges gave their opinions when asked for them—one, the contested election of Berry and Waddell, in 1849, as to the right of certain persons to vote; and the other in 1867, in the matter of Hughes, (who was demanded of Gov. Worth by the Governor of New York,) as to the definition of "crime." In both cases the opinions were given as matter of courtesy. And probably, under the old Constitution, as the Court was

then constituted, it was allowable for the Judges to do so. I certainly did not think otherwise in the matter of Hughes, for I was then on the bench. But, upon reflection, I now doubt whether it was proper. But I repeat that the Court is not constituted now as then. The duties and powers of the old Court, were not prescribed in the Constitution at all. That was done by act of the Legislature. It may be that the Legislature had the power to make it the duty of the Judges to give their opinions when asked for; and although the act which organized the Court did not impose such duty, yet, if it might have been done by *that* act, then it might have been done by any *subsequent* act. And, treating a *request* that they *would*, as a *command* that they *should*, the giving the opinions became, not a courtesy, but a duty. This was certainly so, unless it was forbidden by the general provision, which is both in the old and the new Constitution, that the "Legislative, Executive and Judicial departments of the government shall be forever separate and distinct." And I am now of the opinion that that provision did forbid the old or the new Judges to give their opinions as asked for.

The obvious meaning of that clause is that neither of these departments shall exercise the functions, nor influence or control the other. Under this constitutional prohibition, I do not think it a mere question of propriety, and that I may or may not answer at pleasure. I think it is substantially an interference with the legitimate business of the Legislature, and that the Constitution forbids it.

I think it is much clearer under the new Constitution than under the old. The new Constitution not only *establishes* the Court, but *prescribes its duty*. And it does not make it the duty of the Court to give its opinion to the Legislature, except in the instance of claims against the State. And is not the requiring it in this *one* instance, the same as to *forbid* it in *all* others?

I know that this objection is sought to be avoided by considering the question as addressed to us as private individuals,

and not as Judges, or as a Court. This may *evade* the *letter* of the difficulty, but it leaves its *spirit* in full force. And, with my convictions, to *evade*, is to *break* the Constitution.

Nor is the objection met by saying that we do not meddle with the Legislature officiously, but only courteously at their request. The Legislature has no more right to ask, than we have to answer. We must let each other alone—"forever separate and distinct."

If the Legislature asks our advice with the view to regulate its action accordingly, are they not delegating those functions to us, and are we not substantially exercising the powers of legislation? And is not that the evil intended to be guarded against by the Constitution? Legislators are responsible to their constituents. They cannot shift that responsibility. I appreciate their anxiety to act upon the fullest information. But I think the Judges are forbidden to interfere.

It is not true that the question is referred to us as individuals. It is to us as Judges, as the Supreme Court. We are asked how we will "decide" the question "when it comes before us lawfully." And in whatever form we might answer, the Legislature and the public will understand it to be the opinion of the Supreme Court.

To test the force of my objection, suppose we were to venture our advice without being asked; or, when some case is before us, suppose the Legislature were to indicate to us how we ought to decide it! Can it be that the solution of these objections depends upon politeness, courtesy, punctilio?

I beg your honorable body not to infer from my failure to answer that I have arrived at a different conclusion from the Chief Justice upon the merits, nor yet to infer the contrary. I put my objection solely upon the ground that the Constitution forbids me to answer.

Respectfully,

E. G. READE.

COMMUNICATION FROM JUDGE RODMAN.

RALEIGH, January 9th, 1870.

To the Hon. T. R. CALDWELL, Lieut. Governor, &c. :

SIR :—I acknowledge the honor which the General Assembly has done the Justices of the Supreme Court in requesting their opinions concerning the duration prescribed by the Constitution for the offices of the present members of the Assembly.

In my opinion, the Constitution has wisely separated the judicial from the political departments of the government. The sole duty of the Judges is to decide controversies between parties concerning their rights under the law ; and in the case of the Justices of the Supreme Court this duty is limited to such cases as come before that Court on appeal. In a free country, there must always be parties professing different views of public policy and contending with each other for the control of the government.

The judiciary is set apart in order that in all the revolutions of political power, it may pass without bias on questions of private right. The reasons which induced the framers of the Constitution to confine judicial duty within the limits mentioned, are equally strong to restrain the Legislature from asking the Judges to overstep them, and to restrain the Judges from doing so, except on occasions of the most manifest necessity. We are not informed that the General Assembly proposes to make our opinion the rule of its action. That opinion might be against a tenure of office continued beyond 1870, and the General Assembly might still omit the legislation necessary for holding an election in that year. In such a case there would be the possibility of a contest between rival bodies for the possession of the legislative power, and it must be obvious that nothing could be more unfortunate for the State, than for the Supreme Court to have made itself in advance

the partisan of either. Courts must recognize the actual possessors of political power without inquiry into the lawfulness of their possession. If you shall determine to have no election in 1870, and shall continue to sit and enact laws, being *de facto* in possession of the legislative power, and recognized by the Executive department of the government, I know not by what authority the Courts could refuse to obey your statutes. And so if you shall order an election in 1870, no Court can question the right of your successors. History tells us of Legislatures which have tried and executed the King, and of Executives that have expelled Legislatures, but I know of no case in which a Court has undertaken to question the legitimacy of the actual reigning sovereign.

From these considerations, it seems to me, to follow that the question which you present to us, is an exclusively *political* one. It can never directly, nor, so far as I can see, indirectly, be made a legal question, or a subject of judicial determination. Its ultimate decision must rest with the political departments of the government, and any attempt by the Courts to prejudice it, or influence it, at the request of either of them, would be an encroachment on their powers, opposed at least to the spirit of the Constitution, and hurtful in its consequences. I am, therefore, constrained, respectfully, to decline expressing any opinion professing to be either judicial or legal on the question presented. If I could suppose that the Legislature desired my opinion as an individual merely, I should consider myself at liberty to give it on this as on any other subject. I should, in that case, feel at liberty to look at it from the same elevated point of policy and statesmanship from which you must decide it. It is manifest that the two clauses of the Constitution, which relate to the subject, are repugnant to each other; no amount of ingenuity can reconcile them—one must give way to the other, and which shall it be? When such a question is brought before a Court on the construction of a private instrument, and the Court is *unable* from the writing alone, with the help of the few surrounding circumstances

which it is authorized to look at, to ascertain with moderate certainty, what meaning the parties really intended to express, it resorts to certain artificial and somewhat arbitrary rules by which it wrings out a meaning even in a case when probably the parties themselves did not have any definite one. This, it does because it is absolutely necessary to decide the controversy by some rule, and these by long usage may be considered in such cases as a part of the law. But the meaning thus extracted is a forced and not a natural one, and the process is wholly inapplicable to the decision by you of the question presented. The question to you is not, as it must be to a lawyer, "what do the words express?"—but, what did the people mean? How did they understand the instrument when they adopted it? Did they suppose they were electing you for four years or for two only? In obtaining an answer to this question, you may call in to your aid every circumstance within your knowledge. If you should conclude that the people supposed they were electing you for two years only, you would not hesitate about your course. And even if you should be left in doubt, it seems to me that a wise and becoming policy would require you to give to the people the benefit of the doubt.

I remain, with great respect,

Your obedient servant,

WILL. B. RODMAN.

COMMUNICATION FROM JUDGE SETTLE.

RALEIGH, January 11th, 1870.

HON. TOD R. CALDWELL, *President of the Senate*, and HON.
JO. W. HOLDEN, *Speaker of the House of Representatives*:

SIRS:—I have maturely considered the resolution of the

General Assembly, requesting the Justices of the Supreme Court to indicate what would be the Court's construction of the constitutional provisions relating to the tenure of office of members of this General Assembly, in case the question should be presented in due course of law.

With the greatest respect for the General Assembly, and with every disposition to cultivate the good understanding which exists between the co-ordinate departments of the government, I must decline to express any opinion on the question.

THOMAS SETTLE.

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MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT OF NORTH CAROLINA,
Raleigh, January 21, 1870.

To the Honorable,

The General Assembly of North Carolina:

GENTLEMEN:—Allow me respectfully to call your attention to the importance of suitably endowing the University of the State.

At a meeting of the Trustees of the University, held Nov. 17th, 1869, I was requested to recommend to your honorable body that the University be endowed with a sum sufficient to enable the Trustees to set in operation and maintain its several colleges, to furnish free tuition to the number of one hundred and seventy residents of the State. I earnestly recommend that the request of the Trustees for an endowment be complied with.

I have the honor to be, with great respect,

Your obedient servant,

W. W. HOLDEN,

Governor.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office, at the City of New York, this 1st day of January, 1901.

WILLIAM J. BOYD, DISTRICT ATTORNEY

By _____, Deputy

To the Honorable Board of Directors of the City of New York:
I have the honor to acknowledge the receipt of your letter of the 27th inst., in relation to the proposed amendment to the Charter of the City of New York, and in reply to inform you that the same has been forwarded to the Board of Aldermen for their consideration.
I am, Sir, very respectfully,
Yours very truly,
WILLIAM J. BOYD
District Attorney

Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, January 31st, 1870.

To the Honorable, the General Assembly of North Carolina :

GENTLEMEN:—I have the honor to transmit herewith a statement from Hon. Henderson Adams, Auditor of State, showing the valuation of Real Estate and Personal Property, and taxes derived from same, including taxes on unlisted taxables, as far as returns have been made to his Department for the year 1869.

I have the honor to be,

With great respect,

Your obedient servant,

W. W. HOLDEN,

Governor.

STATE OF NORTH CAROLINA,
AUDITOR'S OFFICE,
Raleigh, January 31st, 1870.

To His Excellency, W. W. HOLDEN :

In compliance with House Resolution, I have the honor of transmitting to you the accompanying statement.

Very respectfully,

Your obedient servant,

H. ADAMS, *Auditor.*

STATE OF NORTH CAROLINA,
AUDITOR'S DEPARTMENT,

Raleigh, January, 1870.

STATEMENT,

Showing the valuation of Real Estate and Personal Property, and Taxes derived from same, including Taxes on Unlisted Taxables, as far as returns have been made to this Department, for the year 1869.

COUNTIES.	Valuation of Lands.	Taxes on Lands.	Valuation of Town Lots.	Taxes on Town Lots.	Valuation of Personal Property.	Taxes on Personal Property.	Taxes on Real Estate and personal property.	Taxes on Unlisted Taxables.	No. of Polls.
Alamance,	\$ 1,050,570	3,676 90	\$ 36,016	\$ 126 05	\$ 544,434	\$ 3,903 04	\$ 7,705 99	\$ 317 28	1,558
Alexander,	408,770	1,430 69	11,170	39 09	232,968	717 07	2,186 85	319 43	788
Alleghany,	273,405	956 91	1,518	5 31	149,854	964 44	1,926 66	52 43	398
Anson,	661,514	2,315 29	61,675	215 86	692,013	2,093 72	4,624 87	560 06	1,322
Ashe,	515,543	1,804 40	19,120	66 92	298,546	1,934 81	3,806 13	54 24	1,111
Beaufort,	753,017	2,635 56	182,350	638 22	572,668	2,046 83	5,320 61	1,675 06	1,760
Bertie,	947,444	2,316 05	60,455	211 59	603,968	1,303 69	4,831 33	674 08	1,481
Bladen,	775,655	2,714 79	17,863	62 52	446,182	1,609 48	4,386 79	No report.	1,639
Brunswick,	558,588	1,955 05	126,385	442 35	239,453	837 96	3,235 36	616 70	1,106
Buncombe,	1,036,350	3,627 22	244,788	856 75	623,919	2,284 55	6,768 52	No report.	1,788
Burke,	587,516	2,056 30	80,595	282 08	347,395	1,297 34	3,635 72	No report.	965
Cabarrus,	1,231,130	4,308 96	119,577	418 52	970,209	3,441 68	8,169 16	915 20	1,644

Caldwell,	650,308	2,276 07	\$	27,160	95 06	276,514	\$	1,078 75	3,449 88	\$	224 74	789
Camden,	241,725	846 04		7,450	26 08	144,934		507 61	1,379 73		518 56	684
Carteret,	281,176	984 12		140,400	491 40	222,921		708 11	2,255 63		345 02	1,135
Caswell,	823,876	2,883 57		73,880	258 58	630,532		2,229 86	5,372 01	No report.		2,161
Catawba,	1,045,163	3,658 42		43,555	152 44	491,200		1,780 26	5,591 12	No report.		1,218
Chatham,	1,625,642	5,339 75		51,536	180 38	800,612		2,820 05	8,340 18	No report.		2,508
Cherokee,	495,869	1,735 54		25,831	90 40	161,970		566 90	2,392 84		240 86	809
Chowan,	267,691	936 92		120,290	421 01	136,665		534 54	1,892 47		1,354 10	734
Clay,	90,139	315 48		2,270	7 94	76,200		256 67	580 09		120 31	343
Cleveland,	793,902	2,708 65		72,060	252 21	544,488		1,905 61	4,866 47		14 82	1,292
Coluntus,	423,688	1,482 91		20,825	72 89	353,241		1,288 85	2,844 65		1,083 15	1,249
Craven,	626,128	2,191 44		754,786	2,641 75	710,105		2,748 52	7,581 71	No report.		1,987
Cumberland,	744,598	2,606 09		553,835	1,938 42	865,272		3,177 05	7,721 56	No report.		1,721
Cumtuck,	345,395	1,208 88	None reported.			236,504		827 77	2,036 65	No report.		972
Davidson,	1,414,644	4,951 25		100,637	352 23	598,561		2,094 94	7,398 42		873 53	2,141
Davie,	638,027	2,233 11		49,400	172 90	349,527		1,290 89	3,696 90	No report.		1,173
Duplin,	618,111	2,163 39		48,993	241 48	497,856		1,750 01	4,154 88		872 52	1,647
Edgecombe,	2,338,831	8,185 90		238,125	833 45	1,948,085		7,282 15	16,301 50		2,314 88	3,307
Forsyth,	921,918	3,226 71		241,822	846 37	996,918		3,652 61	7,725 69		474 57	1,561
Franklin,	1,187,072	4,154 75		190,970	668 40	443,964		1,938 57	6,761 72		615 30	1,921
Gaston,	746,832	2,613 90		17,355	60 74	385,115		1,519 80	4,194 44		195 72	1,125
Gates,	360,714	1,262 49		14,050	49 17	236,202		921 19	2,232 85		316 33	888
Granville,	1,987,380	6,955 83		297,712	103 99	1,135,985		4,078 44	11,138 26	No report.		3,118
Greene,	772,659	2,704 30		32,578	114 02	404,636		1,416 19	4,234 51		1,329 37	1,045
Gulford,	2,000,157	7,000 55		387,689	1,325 41	1,307,315		4,513 48	12,839 44		2,990 29	2,746
Halifax,	1,517,491	5,311 22		159,428	557 98	1,036,256		3,727 89	9,597 09	No report.		2,904
Harnett,	451,926	1,581 74		5,149	18 02	288,740		1,038 04	2,637 80	No report.		1,040
Haywood,	429,435	1,508 02		9,325	32 63	365,432		1,278 97	2,814 62	No report.		872
Henderson,	698,906	2,446 17		53,250	186 38	331,551		1,142 12	3,774 67	No report.		885
Hertford,	499,781	1,749 23		72,964	255 37	495,360		1,771 21	3,775 81		495 78	1,030
Hyde,	342,704	1,210 10		6,323	22 13	227,749		824 17	2,056 40		364 98	1,095
Iredell,	1,220,248	4,270 86		92,408	323 42	727,280		2,633 52	7,277 80		748 10	1,926
Jackson,	377,541	1,321 39		10,475	36 66	176,841		618 92	1,976 97	No report.		718
Johnston,	1,119,080	3,916 78		57,893	202 62	711,049		2,493 40	6,612 80		1,373 43	2,160
Jones,	517,649	1,811 77		13,425	46 98	156,466		549 58	2,408 33		313 29	729

STATEMENT--(Continued.)

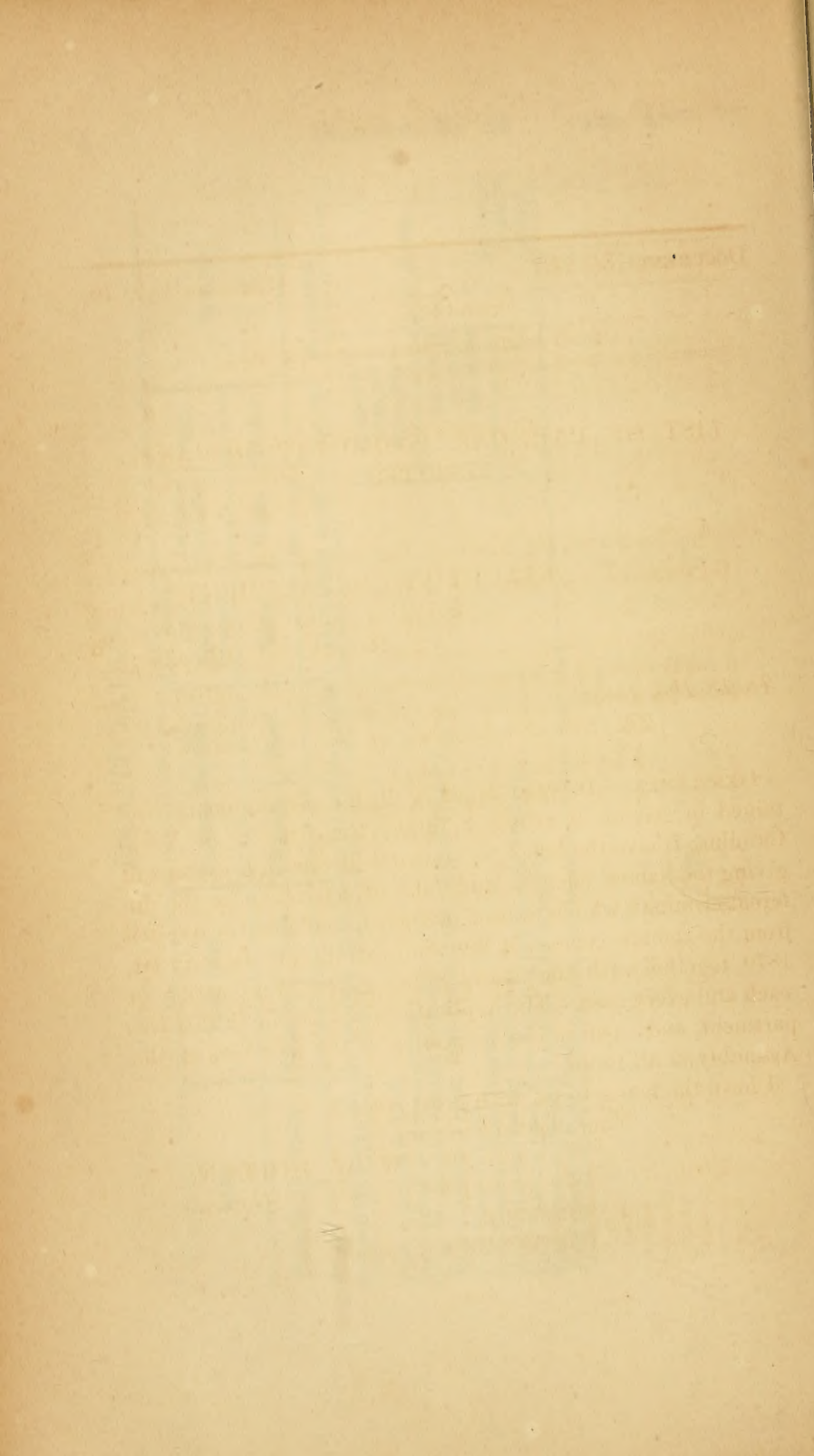
COUNTIES.	Valuation of Land.	Taxes on Land.	Valuation of Town Lots.	Taxes on Town Lots.	Valuation of Personal Property.	Taxes on Personal Property.	Taxes on Real Estate and Personal Property.	Taxes on Unlisted Taxables.	No. of Polls.
Lenoir,	\$ 777,160	\$ 2,720 06	\$ 93,510	\$ 327 28	\$ 298,213	\$ 1,154 54	\$ 4,201 88	\$ 697 31	\$ 1,342
Lincoln,	804,860	2,817 01	108,977	381 41	456,955	1,519 92	4,718 34	356 35	980
Macon,	371,632	1,300 71	19,240	67 34	207,752	1,156 51	2,524 56	218 25	839
Madison,	279,711	978 99	4,560	15 96	124,669	566 33	1,561 28	249 22	841
Martin,	948,544	3,319 90	155,656	544 83	438,702	1,622 22	5,486 95	1,061 97	1,207
McDowell,	471,416	1,649 95	15,765	55 17	235,319	823 57	2,528 69	191 80	810
Mecklenburg,	1,493,170	5,226 09	824,345	2,885 20	1,988,408	8,081 75	16,193 04	4,993 64	2,517
Mitchell,	217,071	755 75	1,492	55 22	111,683	339 91	1,150 88	63 60	552
Montgomery,	455,114	1,592 90	6,897	24 28	257,029	889 60	2,506 78	214 35	908
Moore,	618,289	2,164 00	12,325	43 84	311,746	1,991 12	3,298 96	No report.	1,375
Nash,	760,937	2,663 28	11,685	40 90	545,228	1,920 77	4,624 95	\$84 39	1,502
New Hanover,*									
Northampton,	1,412,418	4,943 46	31,850	111 48	992,832	3,331 91	8,386 85	No report.	2,097
Onslow,	518,515	1,814 80	22,790	79 76	312,870	1,209 66	3,104 22	388 38	1,096
Orange,	1,235,743	4,325 10	174,317	610 09	630,843	2,550 35	7,485 54	514 35	2,231
Pasquotank,	650,992	2,278 47	208,480	729 68	258,942	1,529 75	4,537 90	311 90	1,248
Perquimans,	667,011	2,334 54	57,475	201 16	221,628	788 67	8,324 37	239	988
Person,	719,373	2,517 80	23,050	80 69	551,898	1,882 05	4,480 54	No report.	1,587
Pitt,	1,160,189	4,060 66	54,116	189 40	734,832	2,575 46	6,825 52	No report.	2,092
Polk,	317,451	1,111 07	8,300	29 05	100,127	350 40	1,490 52	80 10	304
Randolph,	1,383,572	4,842 50	48,371	169 30	890,862	2,491 50	7,503 30	622 92	2,134
Richmond,	872,366	3,053 28	45,222	158 27	509,317	1,907 46	5,119 01	157 17	1,300
Robeson,	897,441	3,141 04	56,393	197 37	1,822 76	1,822 76	5,161 17	1,747 78	2,126
Rockingham,	1,520,267	5,320 93	65,108	227 87	745,090	2,687 57	8,236 37	No report.	1,849
Rowan,	1,330,123	4,655 43	357,530	1,251 35	508,653	3,702 87	9,609 65	2,238 49	2,145
Rutherford,	779,917	2,729 71	51,045	178 65	490,389	1,716 37	4,624 73	178 84	1,353

Sampson,	\$ 696,173	\$ 2,436,607	\$ 44,724	\$ 156,539	\$ 544,214	\$ 1,904,707	\$ 4,497,897	\$ 494,527	2,024
Stanly,	440,032	1,540,111	8,760	30,66	233,821	816,34	2,387,11	206,26	956
Stokes,	661,152	2,314,08	15,826	55,39	368,144	1,088,49	3,457,91	No report.	1,238
Surry,	839,680	2,938,88	36,670	128,37	436,580	1,493,01	4,560,26	160,89	1,338
Transylvania,	235,257	823,39	4,519	15,81	136,202	480,32	1,319,52	166,99	465
Tyrell,	245,367	858,78	12,588	44,05	147,081	545,44	1,448,27	392,55	505
Union,	923,175	3,231,11	54,944	193,30	708,804	2,480,84	5,905,25	64,35	1,465
Wake,	2,455,965	8,595,87	1,270,357	4,446,94	2,403,354	10,103,71	23,146,52	No report.	3,762
Warren,	1,146,657	4,013,30	123,850	433,48	627,854	2,354,43	6,801,21	1,616,43	2,188
Washington,	333,513	1,167,29	59,855	279,49	227,929	823,09	2,269,87	861,22	874
Watson,	335,172	1,173,10	4,705	16,46	142,612	560,10	1,749,66	No report.	643
Wayne,	1,489,983	5,214,94	304,213	1,064,75	943,556	3,441,04	9,720,73	1,625,50	2,156
Wilkes,	681,331	2,884,65	18,210	63,74	268,324	1,359,10	4,307,49	No report.	1,408
Wilson,	690,972	2,418,40	169,731	594,05	617,413	2,588,35	5,600,80	843,84	1,418
Yadkin,	629,764	2,204,17	18,668	65,33	317,371	1,146,23	3,415,73	167,21	1,193
Yancey,	197,608	691,62	6,643	22,25	125,031	472,38	1,186,25	71,83	628
	\$ 69,990,991	\$ 246,370,14	\$ 9,566,353	\$ 32,710,38	\$ 45,914,279	\$ 168,943,84	\$ 448,024,36	\$ 45,223,16	125,028

*No Abstracts for this County has been returned to this Department.

RECAPITULATION.

LAND.		TOWN LOTS.		PERSONAL PROPERTY.		REAL ESTATE, AND PERSONAL PROPERTY.		UNLISTED TAXABLES.	POLLS.	REMARKS.	
Valuation.	Taxes.	Valuation.	Taxes.	Valuation.	Taxes.	Taxes.	Taxes.	Number.			
\$ 69,990,991	\$ 246,370	14	\$ 9,566,353	\$ 32,710	38	\$ 45,914,279	\$ 168,943	84	\$ 448,024	36	88 Counties.
Total Valuation of Land,											
Total Valuation of Town property,											
Total Valuation of Personal Property,											
Total Valuation of Land, Town Property and Personal Property.											
Total Taxes on Land,											
Total Taxes on Town Property,											
Total Taxes on Personal Property,											
Total Taxes on Land, Town Property and Personal Property,											
Total Taxes on Unlisted Taxables, as far as reported,											
Total number of Polls listed,											
								\$	69,990,991	\$ 125,471,623	
									9,566,353		
									45,914,279		
									246,370	14	
									32,710	38	
									168,943	84	
										448,024	
										36	
										45,223	
										16	
										125,028	



Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

LIST OF PARDONS, COMMUTATIONS AND
RESPITES.

EXECUTIVE DEPARTMENT,
STATE OF NORTH-CAROLINA,
Raleigh, Feb. 4th, 1870.

To the Honorable,

The General Assembly of North Carolina:

GENTLEMEN:—In accordance with the requirements contained in section 6, article 3, of the Constitution of North Carolina, I have the honor to transmit herewith a statement giving the names, offences, and dates of conviction of the different criminals who have been pardoned, commuted or respited from the commencement of my administration to January 1st, 1870, together with the causes which governed my action in each and every case. The applications are on file in this Department, and open to the inspection of the members of the Assembly at all times.

I have the honor to be, with great respect,

Your obedient servant,

W. W. HOLDEN,
Governor.

LIST OF PARDONS, COMMUTATIONS AND RESPITES.

NAME.	COUNTY.	CRIME.	DATE OF CONVICTION.	SENTENCE.	PARDONED, COMMUTED OR RESPITED.	DATE.	REMARKS.
Simpson Bateman,	Washington.	Larceny.	Spring term Sup. Court 1868.	Imprisonment.	Pardoned.	July 8, '68.	This application endorsed by Judge E. W. Jones, and sets forth that in case of continued imprisonment, the family of prisoner will become a charge on the county.
Calvin Corbett, } Archy Corbett, } Allen Boone,	New Hanover.	Assault and battery.	June term, Cr. Ct. 1868.	Impris. in W. H. 6 m.	Pardoned.	July 14, '68.	Petition signed by prominent citizens. It was thought the punishment too severe.
James Johnson,	Bladen.	Bur'ing dis.	Fall term Sup. Court 1867.	Imprisoned one year.	Pardoned.	July 22, '68.	This application states that evidence on which prisoner was convicted was circumstantial, and is signed by Commissioners and Sheriff of the County.
Hezekiel Atkins,	Wake.	Larceny.	Co. Ct. Nov. 1867.	Wk. house 18 months.	Pardoned.	Aug. 15, '68.	Signed by prosecuting Attorneys, who state that the punishment was not warranted by the evidence.
John K. Lambeth,	Davidson.	Larceny.	Spring term Sup. Court 1868.	County jail two years.	Pardoned.	Aug. 15, '68.	Evidence in this case not conclusive. Petition states that the County would be charged with the costs of imprisonment.

Bob. Collins,	Lenoir,	Assault and battery.	Spring term Sup. Court 1868.	Imprisonment.	Pardoned.	Aug. 17, '68.	This petition states that the assault was made under the impression that the party upon whom the attack was made were horse thieves. Signed by Sheriff of County and others.
Crowell Chambley	Wake.	Larceny.	Feb'y. term Co. Court, 1868.	Hard labor in work house, 12 months.	Pardoned.	Aug. 18, '68.	Pardon issued on recommendation of County Commissioners.
Stephen Dew,	Wilson.	Larceny.	Spring term Co. Ct. '68.	12 m. hard labor with ball & ch'n.	Pardoned.	Aug. 26, '68.	Petitioners think the punishment unreasonable.
Julia Leaks,	Richmond.	Murder.	Fall term Sup. Ct. '67.	Death.	Respited until Oct. 29, 1868.	Aug. 29, '68.	See pardon.
W. G. Glenn,	Mecklenburg.	Larceny.	Co. Court, June 1868.	Imprisonment 12 ms. hard labor.	Pardoned.	Aug. 31, '68.	Petition signed by prominent citizens. It was thought a proper case for Executive clemency.
Thos. Rivenbank, Burwell Pearce,	N. Hanover.	Larceny.	N. Hanover Criminal Ct. June 1867.	Imprisonment two years.	Pardoned.	Sept. 1, '68.	Petition signed by prominent citizens. It was thought the crime did not justify the sentence.
Sandy Fuller,	Caswell.	Larceny.	Spring term Sup. Ct. '68.	Imprisonment in County jail.	Pardoned.	Sept. 3, '68.	Affidavits on file in Executive office prove an <i>alibi</i> in this case. Petition signed by Judge A. W. Tourgee, who endorses the character of the persons making the affidavits.

LIST OF PARDONS, COMMUTATIONS AND RESPITES—(Continued.)

NAME.	COUNTY.	CRIME.	DATE OF CONVICTION.	SENTENCE.	PARDONED, COMMUTED OR RESPITED.	DATE.	REMARKS.
Geo. Woodard, Jonas Woodard,	Wilson.	Larceny.	Sp'ng term Sup. Court 1868.	Imp't 6 m. Imp't 4 m.	Pardoned. "	Sept. 8, '68.	Petition sets forth that the evidence on trial was entirely circumstantial, and that the real thieves have been discovered since sentence of the prisoners.
Jacob Jones,	Wake.	Larceny.	Mag. Court Aug. 1, '68.	Imprison't in County jail.	Pardoned.	Sept. 8, '68.	This prisoner was illegally required to submit to a second trial and to submit to excessive bail, in default of which he was imprisoned in the County jail.
Minta Hairston,	Stokes.	Murder.	Fall term Sup. Ct. '67.	Death.	Respited until Jan. 8, 1869.	Sept. 17, '68	See commutation.
Dawson Jones,	Warren.	Larceny.	Fall term Sup. Ct. '67.	Imprison't 12 m. h'rd l'r & pay't of cost.	Pard'ned uncon- ditionally and re- mission of costs.	Sept. 23, '68	This prisoner had but a short time to serve, and no money to pay costs. His family in a suffering condition and likely to be a charge on the C'ty.
Anderson Harris,	Wilson.	Larceny.	Co. Court Sp'ng term 1868.	Imprison't 6 m. in this hard labor.	Pard'ned uncon- ditionally and costs remitted.	Sept. 26, '68	The sentence in this case is considered too severe, especially as proof against prisoner was not clear. The offence consisted in taking one peck of corn.

Jos. McCurry,	Cleveland.	Murder.	Fall term Sup. Ct. '67.	Death.	Pardoned.	Oct. 5, '68.	This petition was numerously signed by the citizens of Cleveland County, including eight members of the jury which sat upon his trial. The prisoner had been in jail four years. He is reported to have borne a good character previous to the commission of the offence, which is supposed to have been committed when temporarily insane. It was therefore deemed a proper case for the exercise of Executive clemency.
Saml. J. Boiney,	N. Hanover.	Larceny.	Crim. Court Spring term 1867.	Imprisonment in the Work House.	Pardoned.	Oct. 12, '68.	Petition signed numerously, including Mayor of Wilmington, Commissioners of New Hanover County, and other officers and prominent citizens, believes the ends of justice to have been secured by his confinement.
Julia Leak,	Richmond.	Murder.	Fall term Sup. Court.	Death.	Pardoned.	Oct. 15, '68.	The prisoner was charged with the murder of an infant, for which she was acting as nurse. The death of the child was caused by an overdose of laudanum administered by her, but from evidence on trial, petitioners believe she had no intent of taking life. Petition is signed by Hon. Thos. S. Ashe, who confirms the statement set forth in petition.

LIST OF PARDONS, COMMUTATIONS AND RESPITES—(Continued.)

NAME.	COUNTY.	CRIME.	DATE OF CONVICTION.	SENTENCE.	PARDONED, COMMUTED OR RESPITED.	DATE.	REMARKS.
Isham Morrow.	Orange.	Burglary.	Spring term Sup. Court 1868.	Imprisoned 18 months in com. jail.	Pardoned.	Oct. 23, '68.	The petition in this case is signed by prominent citizens of Orange County, including County officers, and states that the prisoner was seriously ill, and opinion of physician was, that unless released would die. Humanity demanded his release, and it is thought the ends of justice had been secured.
Alexander Willis.	Wake.	Murder.	Spring term 1868, Superior Court.	Death.	Respited until Dec. 4, 1868.	Novem. 5, 1868.	See commutation.
John A. Owens.	Gaston.	Murder.	Fall term 1867, Superior Court.	Death.	Committed to imprisonment for life at hard labor.	Novem. 27,	The petitions asking for commutation of punishment in this case, are signed by some of the most prominent lawyers and physicians of the State, also by the <i>entire</i> jury who sat upon the trial. Letters are on file in Executive office from several physicians who testify to the imbecility, and, at times, to the insanity of the prisoner. From these and other facts it was thought that the ends of justice would be amply se-

Richard Smith.	Mecklenburg.	An affray.	Spring term 1868, Superior Court.	Fine & costs	Fine and costs remitted.	Novem. 11, 1868.	secured by commuting the sentence to imprisonment for life.
Armistead Brown.	"	"	"	"	"	"	The penalties in these cases were imposed unjustly. Petition signed by prominent citizens of Mecklenburg.
Lee Dunlap.	"	"	"	"	"	"	
James Steele.	"	"	"	"	"	"	
Jos. R. Wallace.	Mecklenburg.	Larceny.	Spring term 1868, Superior Court.	Imprisonment 2 yrs. hard labor.	Pardoned.	Novem. 11, 1868.	The evidence in this case was shown to be circumstantial. It was thought the ends of justice had been secured.
Matthew Ross.	Mecklenburg.	Larceny.	Spring term 1868, Superior Court.	Imprisoned 2 years.	Pardoned.	Novem. 11, 1868.	The property taken was returned by prisoner. He had already served seven months of his time, and it was thought the ends of justice had been met. Petition signed by prominent citizens.
Wm. Parnel.	Forsythe.	Larceny.	Spring term 1868, Superior Court.	Imprisoned 2 years.	Pardoned.	Novem. 17, 1868.	Petition signed by Judge Starbuck and other leading citizens. Prisoner feeble and very infirm, having been confined over one year.
Francis Blackwell.	Henderson.	Participation in a riot.	Spring term 1866, Superior Court.	Fine \$50 & costs.	Fine, &c., remitted.	Novem. 20, 1868.	Prisoner required to submit to second trial for same offence.
Alexander Willis.	Wake.	Murder.	Spring term 1868, Superior Court.	Death.	Committed to imprisonment for life in Penitentiary at hard labor.	Decem. 3, 1868.	Petition very largely signed. It was thought the ends of justice would be fully secured by commuting sentence to imprisonment for life.

LIST OF PARDONS, COMMUTATIONS AND RESPITES—(Continued.)

NAME.	COUNTY.	CRIME.	DATE OF CONVICTION.	SENTENCE.	PARDONED, COMMUTED OR RESPITED.	DATE.	REMARKS.
Sylvia.	Chatham.	Larceny.	Fall term 1868, Superior Court.	Imprisonment three months.	Pardoned.	Decem. 7, 1868.	It was shown by the certificate of the physician attending the prisoner that her health would not admit of further confinement, and would probably end in death. It was thought that the ends of justice had been secured.
Rich'd Vaughan. W. D. Rose.	Northampton. "	Larceny. "	Fall term 1868, Superior Court.	Imprisonment. "	Pardoned. "	Dec. 7, '68, "	Petition signed by owners of the property and prominent citizens.
Joshua Lovick.	Greene.	Murder.	Fall term 1868, Superior Court.	Death.	Commutated to imprisonment for life in Penitentiary at hard labor.	Decem. 11, 1868.	Petition signed by the jurors and over three hundred citizens of Greene County and sets forth that the prisoner was little removed from insanity. It was thought the ends of justice would be served by commuting the punishment to imprisonment for life.
Minta Hairston.	Stokes.	Murder.	Spring term 1868, Superior Court.	Death.	Respited to July 16, 1869.	Decem. 16, 1868.	See commutation.

George Porter.	Mecklenburg.	Assault and battery with intent to commit robbery.	Fall term 1868, Superior Court.	Impris'm't. Pardoned.	Decem. 18, 1868.	Petition signed by Solicitor of the District and other prominent citizens, who express great doubts of prisoner's guilt.
Offa King.	Lenoir.	Horse stealing.	Spring term 1868, Superior Court.	Impris'm't. Pardoned.	Decem. 19, 1868.	Petition signed by prominent citizens. Doubts of prisoner's guilt.
Cæzar Hinton.	Wake.	Larceny.	Spring term 1868, Superior Court.	Impris'm't. 2 yrs. in Work House.	January 5, 1869.	Pardon recommended by the County Commissioners.
Emma Jones.	"	Assault and battery.	Fall term 1868.	Pardoned.	January 12, 1869.	Petition signed by Sheriff and other County officers. Prisoner was suffering from sickness, and humanity demanded his release.
Calvin McBrayer.	Cleveland.	Fornication and adultery.	Fall term 1868, Superior Court.	Six months imprisonment. Pardoned.	Jan. 12, '69.	Petition signed by Solicitor, Sheriff, Senator and others, and sets forth that the prisoners are young, and were drawn into the commission of the offence by older parties, and that they had previously borne a good character. The property taken was restored.
H. M. Garris.	Northampton.	Larceny.	Fall term 1868, Superior Court.	Six months imprisonment. Pardoned.	"	
George Badger.	"	"	Fall term 1868, Superior Court.	Six months imprisonment.	"	

LIST OF PARDONS, COMMUTATIONS AND RESPITES—(Continued.)

NAME.	COUNTY.	CRIME.	DATE OF CONVICTION.	SENTENCE.	PARDONED, COMMUTED OR RESPITED.	DATE.	REMARKS.
Isaac Shaw.	Beaufort.	Manslaughter.	Spring term 1868, Superior Court.	Imprisoned 3 years.	Pardoned.	Jan. 25, '69.	Petition signed by the Sheriff and a large number of prominent citizens of Beaufort County, who state that the evidence proved that the deed was committed accidentally. The prisoner had remained some time in prison, and it was thought the ends of justice had been met.
P. A. Applewhite.	Wilson.	Assault and battery.	Fall term 1868, Superior Court.	Imprisoned 3 months.	Pardoned.	Jan. 25, '69.	The prisoners had been confined a considerable time, and it was thought the ends of justice had been secured, especially as the assaulted party received no serious injury.
Haywood White.	"	"	Fall term 1868, Superior Court.	Imprisoned 3 months.	"	"	
Harry Peacock.	"	"	Fall term 1868, Superior Court.	Imprisoned 3 months.	"	"	
David Peacock.	"	"	Fall term 1868, Superior Court.	Imprisoned 3 months.	"	"	
Wm. Hall.	"	"	Fall term 1868, Superior Court.	Imprisoned 3 months.	"	"	

Enos Applewhite, Wilson.	Assault and battery.	Fall term 1868, Superior Court.	Imprisoned 3 months.	Pardoned.	Jan. 25, '69.	The prisoners had been confined a considerable time, and it was thought the ends of justice had been secured.
Stephen Barnes.	"	Fall term 1868, Superior Court.	Imprisoned 3 months.	"	"	
Balam Hall.	"	Fall term 1868, Superior Court.	Imprisonment 2 mos.	"	"	
Brit Barnes.	"	Fall term 1868, Superior Court.	Imprisonment 2 mos.	"	"	
Presly Daniels.	Misd'm'e'nr.		Damages and costs.	Damages and costs refunded.	Jan. 25, '69.	Petition sets forth that prisoners were United States soldiers, and acted under orders of their superior officers.
Wm. Bently.	"		Damages and costs.	Damages and costs refunded.	"	
King Kenly.	"		Damages and costs.	Damages and costs refunded.	"	
P. M. Mathison.	"		Damages and costs.	Damages and costs refunded.	"	
Marcellus Paine.	City of Wilmington.	Fall 1867, County Court.	Imprisonment 2 yrs hard labor.	Pardoned.	Feb. 6, '69.	Petition signed by influential citizens of Orange County, and sets forth that the prisoner was convicted on circumstantial evidence. He had already served out thirteen months of his term of imprisonment, and it was thought the ends of justice had been met.

LIST OF PARDONS, COMMUTATIONS AND RESPITES—(Continued.)

NAME.	COUNTY.	CRIME.	DATE OF CONVICTION.	SENTENCE.	PARDONED, COMMUTED OR RESPITED.	DATE.	REMARKS.
Wm. Parker.	Wake.	Petit Larceny.	Spring term 1868, Superior Court.	Imprisonment.	Pardoned.	Feb. 12, '69.	Petition signed by County Commissioners. Crime did not justify the sentence.
Robt. Bledsoe.	"	"	Spring term 1868, Superior Court.	Imprisonment.	"	"	
Jas. Harrington.	Anson.	Larceny.		Imprisonment.	Pardoned.	Feb. 17, '69.	Petition signed by prominent citizens.
Wm. Tabor.	Polk.	Fornication and adultery.	Spring term 1868, Superior Court.	Fined \$50 and costs.	Fine and costs remitted.	Feb. 26, '69.	Petition signed by large number of citizens, who represent the charges as false. The prisoner was an aged and infirm man.
Robt. Winfield.	Beaufort.	Assault and battery.	Fall term 1868, Superior Court.	Imprisonment 2 yrs.	Pardoned.	Mar. 2, '69.	Petition signed by many citizens. It was thought the sentence was too severe.
Webster Jones.	Wake.	Larceny.	Fall term 1868, Superior Court.	Imprisonment 12 months.	Pardoned and costs refunded.	Mar. 6, '69.	This prisoner was released at the request of the party from whom the property was taken, who stated that he had received payment for his loss. Prisoner had served three months of his term of imprisonment.

Saml Simpson.	Craven.	Assault and battery, with intent to commit rape.	Fall term 1868, Superior Court.	Imprisonment.	Pardoned.	Mar. 10, '69.	Petition signed by Sheriff of Craven County, who testified to the good behavior of prisoner while in jail. Prisoner had been confined one year, and it was thought the ends of justice had been met.
James Streddick.	New Hanover.	Assault and battery.	Fall term 1868, Superior Court.	Imprisonment one year.	Pardoned.	Mar. 11, '69.	Petition numerously signed. Prisoner is a man of good character and has a family entirely dependant.
James R. Wells.	Edgecombe.	Manslaughter.	Spring term 1868, Superior Court.	Imprisonment 12 months fine and costs.	Pardoned and released from costs.	Mar. 13, '69.	Petition signed by prominent citizens. Prisoner had served about half his term of imprisonment. It was thought the ends of justice had been secured.
Cornelius Miles.	Northampton.	Larceny.	Fall term 1868, Superior Court.	Imprisonment 6 mos.	Pardoned.	Mar. 16, '69.	Petition signed by leading citizens. It was thought prisoner had suffered sufficiently.
Charles Jones.	Newbern.	Nuisance in keeping disorderly house.	Spec'l term 1869, Criminal Court, Newbern.	Fined \$25 and costs, and imprisoned in default of payment.	Pardoned, and fine and costs remitted.	Mar. 18, '69.	Petition signed by Judge. It was thought the prisoner had suffered sufficiently.
W. M. Underwood.	Union.	Misd'm'nor.	Fall term 1868, Superior Court.	Imprisonment one month in common jail.	Pardoned.	Mar. 22, '69.	Petition numerously signed, and sets forth that the prosecution was of a malicious character, and great doubt existed of the prisoners' guilt.

LIST OF PARDONS, COMMUTATIONS AND RESPITES—(Continued.)

NAME.	COUNTY.	CRIME.	DATE OF CONVICTION.	SENTENCE.	PARDONED, COMMUTED OR RESPITED.	DATE.	REMARKS.
Wilson Roscoe.	Gates.	Larceny.	Spring term 1869, Superior Court.	Imprisonment 6 mos.	Pardoned.	Apr. 8, '69.	The evidence in this case was purely circumstantial. Petition signed by Judge of 1st Judicial District, and numerous citizens.
Murphy Owen.	Montgomery.	Murder.	Spring term 1869, Superior Court.	Death.	Pardoned.	Apr. 8, '69.	Petition signed by a very large number of citizens, and sets forth that great doubts exist in regard to the prisoner's guilt. Two of the most important witnesses had been shot by the Confederates, and he was therefore deprived of the best proofs of his innocence.
Wm. Steele.	Alamance.	Assault.	Fall term 1868, Superior Court.	Imprisonment 6 mos.	Pardoned.	Apr. 9, '69.	Petition signed by County Commissioners and others. Prisoner had served out most of his time, and it was thought the ends of justice had been secured.
Hilli'rd Browning.	Halifax.	Larceny.	Fall term 1867, Superior Court.	Imprisonment 1 year at hard labor.	Pardoned.	Apr. 13, '69.	Petition signed by Solicitor, and sets forth that the prisoner is an old man, and had served his entire term of imprisonment; but was still detained in Poor House. He desired

Bunn Parish.	Lenoir	Fornication and Adultery.	Spring term 1869, Superior Court.	Imprisonment 6 mos.	Pardoned.	Apl. 20, '69.	to be at liberty in order to make a crop for his family. Petition signed by Sheriff and Commissioners of the County, and a large number of citizens.
Green Hopson.	Wake.	Larceny.	Spring term 1869, Superior Court.	Imprisonment for costs.	Pardoned.	May 1, '69.	Petition signed by County officers, and sets forth that the family of prisoner was in very indigent circumstances, and unable to make a living.
Levi Pope.	Wake.	High Way Robbery.	Fall term 1868.	10 years' imprisonment.	Pardoned.	May 4, '69.	The Sheriff of Wake recommended the release of this prisoner in consideration of services rendered on the 3d May, during an attempt on the part of the prisoners to escape jail.
Wm. Somerville.	Warren.	Attempt at Rape.	Fall term 1868, Superior Court.	Imprisonment 10 years.	Pardoned.	May 10, '69.	Petition signed by large number of citizens, who set forth that great doubts existed of prisoner's guilt. The main witness against the prisoner was the prosecutrix.
Brown Harris. Giezar Wilcox. Carson Cooper.	Halifax.	Larceny.		Imprisonment 12 months.	Committed to work on Public Roads balance of term.	May 18, '69.	Petition signed by Chairman of Board of Commissioners. The prisoners had suffered much from confinement, and it was thought best to commute the punishment.
Duncan Jones.	Perquimans.	Larceny.	Spring term 1869.	Imprisonment.	Pardoned.	May 20, '69.	Petition recommended by Solicitor of District and others.

LIST OF PARDONS, COMMUTATIONS AND RESPITES—(Continued.)

N.A.M.E.	C.O.U.N.T.Y.	C.R.I.M.E.	D.A.T.E. OF C.O.N.V.I.C.T.I.O.N.	S.E.N.T.E.N.C.E.	P.A.R.D.O.N.E.D, C.O.M- M.U.T.E.D OR R.E- S.P.I.T.E.D.	D.A.T.E.	R.E.M.A.R.K.S.
James Thomas, Gus. Baker.	Halifax.	Murder.	Spring term 1869, Superi- or Court.	Death.	Respited until June 4th, 1869.	May 28, '69.	This respite was granted at re- quest of prisoner's counsel, in order to give them more time for spiritual advice. They were executed June 4th, 1869.
Jemima Lopp.	Davidson.	Assault.	Spring term 1869.	Imprison- ment.	Pardoned.	Jun. 3, '69.	Petition numerously signed. It was thought the ends of justice had been secured.
Simon Morgan.	Pasquotank.	Larceny.	Spring term 1869, Superi- or Court.	Imprison- ment 6 mos. State pris.	Pardoned.	Jun. 10, '69.	The property alleged to have been taken was of very small value, and the punishment was considered un- usually severe. Petition signed by prominent citizens.
David Davis.	Franklin.	Larceny.	Spring term 1869, Superi- or Court.	Imprison- ment 12 mos. hard labor.	Pardoned.	Jun. 11, '69.	The prisoner was convicted upon circumstantial evidence. Petition signed by many citizens.
George Johnston alias Bayline.	Halifax.	Murder.	Spring term 1869, Superi- or Court.	Death.	Commutated to imprisonment for life at hard la- bor.	Jun 12, '69.	Commutation granted on petition of prominent lawyers. The prisoner was indirectly engaged only in crime for which he was sentenced.

Hampton Crouse.	Alleghany.	Trespass.	Spring term 1869, Superior Court.	Imprisonment 2 yrs.	Pardoned.	June 18, 1869.	Petition signed by large number of citizens. It was thought a proper case for Executive clemency.
Minta Haireston.	Stokess.	Murder.	Fall term 1867, Superior Court.	Death.	Committed to imprisonment for life at h'rd labor.	June 28, '69.	Petition numerously signed. It was thought the ends of justice would be fully secured by commuting sentence.
Wm. Shaver.	Rowan.	Assault and battery.	Spring term 1869, Superior Court.	Imprisonment 5 mts.	Pardoned.	July 13, '69.	Petition signed by prominent citizens and sets forth that the offence did not justify the sentence.
Stephen Hardy.	Rowan.	Manslaughter.	Spring term 1869, Superior Court.	Imprisonment.	Pardoned.	July 13, '69.	Petition signed by highly respectable citizens and sets forth that the prisoner acted in self-defence.
George Rex.	Rowan.	Assault and battery.	Spring term 1869, Superior Court.	Imprisonment 5 mts.	Pardoned.	July 13, '69.	Petition numerously signed. Offence did not justify the sentence. It was thought the ends of justice had been secured.
J. R. P. Lane.	Henderson.	Assault and battery.	Fall term 1868, Superior Court.	Fined \$30.	Fine remitted.	July 13, '69.	Petition signed by the presiding Judge. The prisoner was a youth and very poor.
Hughes, Corn and Marth. J. Murdock.	Buncombe.	Unlawful marriage.	Spring term 1869, Superior Court.	Costs incurred by reason of indictment.	Pardoned.	July 15, '69.	Strong petition in favor of this pardon. It was thought a clear case.
Wiley Kent.	Davie.	Larceny.	Spring term 1869, Superior Court.	Imprisoned 12 months.	Pardoned.	July 19, '69.	Evidence on file shows the prisoner was subjected to malicious prosecution.

LIST OF PARDONS, COMMUTATIONS AND RESPITES—(Continued.)

NAME.	COUNTY.	CRIME.	DATE OF CONVICTION.	SENTENCE.	PARDONED, COMMUTED OR RESPITED.	DATE.	REMARKS.
J. H. Abrams.	City of Wilmington.	Assault.	July term Special Ct. of Wilmington.	Imprisonment thirty days. Fined \$200.	Pardoned and fine remitted.	July 21, '69.	Petition numerously signed. It was thought the offence did not justify the sentence.
Frontis Simonton.	Iredell.	Larceny.	Spring term 1869, Sup. Court.	Fined costs and imprisonment.	Pardoned.	July 24, '69.	Evidence in this case was circumstantial. Petition signed by prominent citizens. It was thought the prisoner had suffered sufficiently.
Albert Happoldt.	Rowan.	Larceny.	Spring term 1869, Sup. Court.	Imprisonment 6 mts.	Pardoned.	July 24, '69.	Considerable doubts exist as to the prisoner's guilt. He is quite young and having been confined some time it was thought the ends of justice had been secured.
Harry McNeeley.	Rowan.	Larceny.	Spring term 1869, Sup. Court.	Imprisonment.	Pardoned.	July 24, '69.	Petition signed by prominent citizens and shows that the crime was not committed with a felonious intent.
Lark Christopher.	Catawba.	Larceny.	Aug., 1869, Sup. Court.	4 mos. Co. jail.	Pardoned.	Aug. 10, '69.	Petition signed by large number of citizens and sets forth that the prisoner is weak minded. The property alleged to have been stolen was of small value and did not justify the punishment.

Julius Giles.	Burke.	Larceny.	May term 1869, Sup. Court.	Imprison- ment 4 mts.	Pardoned.	Aug. 10, '69.	The prisoner was subjected to a malicious prosecution. He is considered idiotic.
Alexander Jarvis.	Burke.	Larceny.	May term 1869, Sup. Court.	Imprison- ment 4 mts.	Pardoned.	Aug. 21, '69.	It was shown in this case that the prisoner was convicted on perjured testimony.
Wm. H. Davis,	Beaufort.	Burglary.	Fall term 1868, Sup. Court.	Imprisoned 20 yrs. hard labor.	Pardoned.	Sept. 6, '69.	Petition signed by prominent citizens. The property taken was of very small value and did not justify the sentence. It was thought the ends of justice had been secured.
Amos Batchelor.	Wake.	Larceny.	Spring term 1869, Sup. Court.	State Prison 2 years.	Pardoned.	Oct. 7, '69.	Petition signed by presiding Judge and others. It was thought that prisoner had suffered sufficiently.
Nelson Harrell.	Hertford.	Larceny.	Spring term 1869, Super- ior Court.	Imprison- ment 12 months.	Pardoned.	Oct. 25, '69.	Petition signed by prominent citizens. Evidence circumstantial. It was thought the ends of justice had been secured.
C. C. King.	Mecklenburg.	An assault.	Spring term 1869, Super- ior Court.	Fined \$50.	Fine, &c., remit- ted.	Oct. 25, '69.	Petition signed by prominent citizens. The prisoner proved a good character, and endeavored to avoid the difficulty of which he was charged.
George Hill.	New Hanov'r.	Larceny.	Spring term 1869, Super- ior Court.	Work House 6 months hard labor.	Pardoned.	Nov. 2, '69.	The prisoner was only 14 years of age. It was thought the punishment was too severe, and that the ends of justice had been secured.

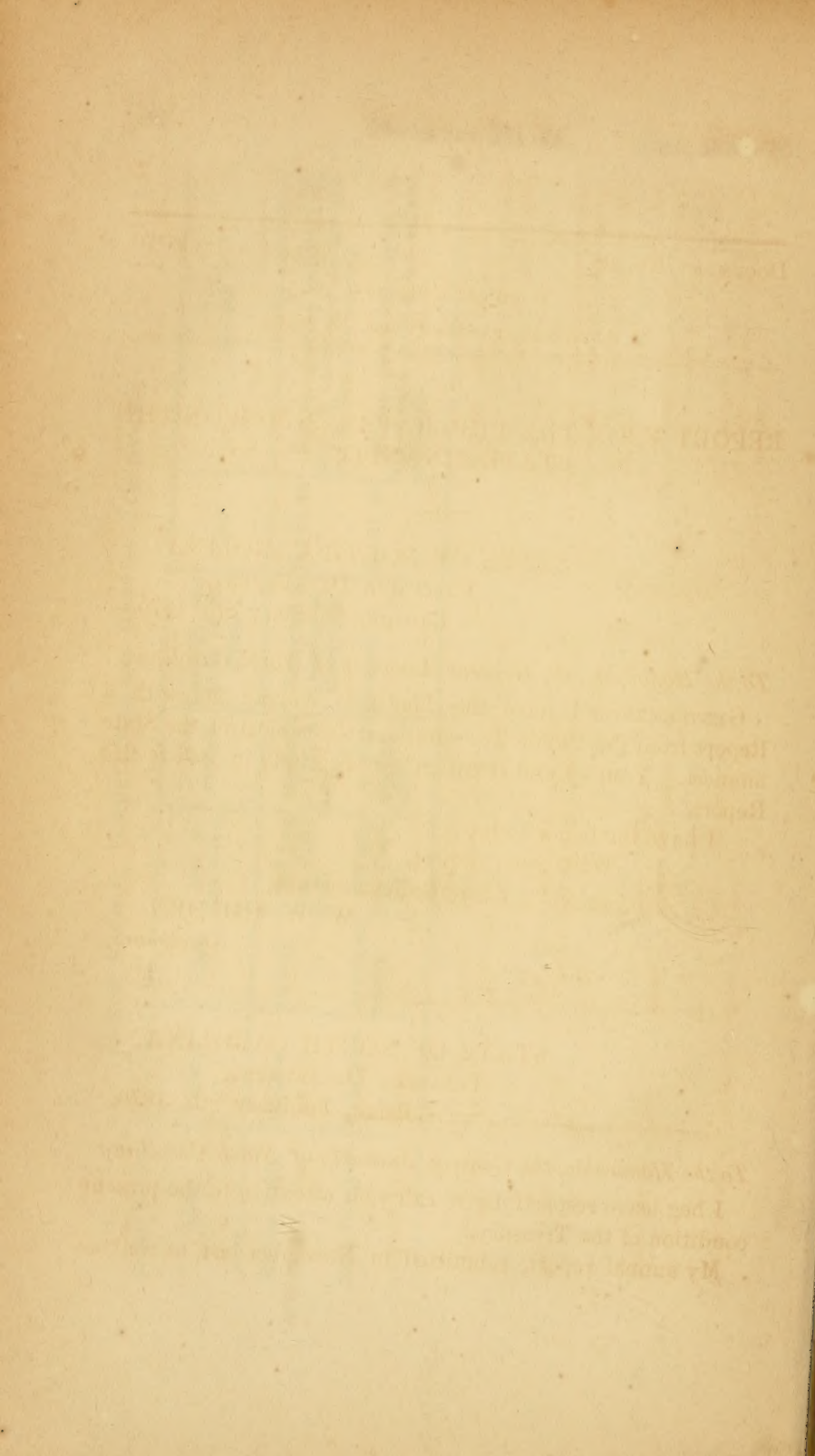
LIST OF PARDONS, COMMUTATIONS AND RESPITES—(Continued.)

NAME.	COUNTY.	CRIME.	DATE OF CONVICTION.	SENTENCE.	PARDONED, COMMUTED OR RESPITED.	DATE.	REMARKS.
John K. Brown.	Nash.	Larceny.	Fall term 1868, Superior Court.	Penitentiary 2 years.	Pardoned.	Nov. 4, '69.	Petition signed by many prominent citizens, including Judge of District. Prisoner had on two occasions given notice of an attempted outbreak of prisoners in jail. It was thought a proper case for Executive clemency.
David Wortham.	New Hanov'r.	Assault and battery.	Special C't Fall term, 1869.	6 months work h'use.	Pardoned.	Nov. 26, '69.	The prisoner is a youth thirteen years of age. Petition signed by prominent citizens.
Wm. H. Ross.	Beaufort.	Receiving stolen g'ds.	Fall term Sup. Court, 1869.	Six months County jail.	Pardoned.	Nov. 29, '69.	Petition signed by many prominent citizens. It is clear that the goods were purchased by prisoner, not knowing they were stolen.
Wm. A. Hase.	New Hanov'r.	Larceny.	Spec'l term Sup. Court, 1869.	12 months imprisonment.	Pardoned.	Nov. 30, '69.	The guilt of the prisoner was doubtful. Petition signed by prominent citizens.
Samuel Fleming.	Beaufort.	House breaking.	Fall term 1868.	20 years imprisonment.	Pardoned.	Dec. 1, '69.	Evidence in case proved an <i>alibi</i> , other evidence of a circumstantial character, caused jury to return a

John Erwin.	Burke.	Larceny.	Fall term Sup. Court, 1869.	4 months imprison- ment.	Pardoned.	Dec. 3, '69.	verdict of guilty. Signed by many prominent citizens.
John L. Davis.	City of Wil- mington.	Assault.	Specal Co't, 1869.	12 months Penit'niary.	Pardoned.	Dec. 6, '69.	Prisoner had always borne a good character. It was thought the ends of justice had been secured. Other mitigating circumstances.
Nero Davis.	Chatham.	Murder.	Fall term 1869.	Death.	Commutd to imprisonment for life at hard labor.	Dec. 9, '69.	Prisoner only ten years of age, and was led into the crime by bad company. Petition signed by prominent citizens.
George Carlin.	Henderson.	Larceny.	Fall term 1869.	6 months Penit'niary.	Pardoned.	Dec. 17, '69.	Petition signed by many influential members of the bar. It was thought the ends of justice would be fully met by commuting sentence.
John Ledbetter.	Henderson.	Burglary.	Fall term Sup. Court, 1869.	25 years State pr's'n.	Pardoned.	Dec. 18, '69.	Offence consisted in stealing one pint of Molasses. Prisoner has large family depending on him for support.
Henry Cox.	Northampton.	Larceny.	Fall term Sup. Court, 1869.	6 months imprison- ment.	Pardoned.	Dec. 22, '69.	Prisoner only 15 years of age at time of conviction, and considered an idiot. It was thought that the punishment was too severe.
							Certificate of physician states that prisoner's health in desperate state. Could not survive if kept in confinement.

LIST OF PARDONS, COMMUTATIONS AND RESPITES—(Continued.)

NAME.	COUNTY.	CRIME.	DATE OF CONVICTION.	SENTENCE.	PARDONED, COMMUTED OR RESPITED.	DATE.	REMARKS.
Madison Smith.	Johnston.	Larceny.	Fall term Sup. Court, 1869.	18 months in Penitentiary.	Commutated to 4 months in County jail.	Dec. 23, '69.	Petition signed by prominent citizens. It was thought a proper subject for Executive clemency.
Simon Pettigrew.	Washington.	Assault and battery.	Fall term Sup. Court, 1869.	2 years imprisonment.	Pardoned.	Dec. 27, '69.	Petition numerously signed. It was thought prisoner had suffered sufficiently.



Ordered to be Printed.

M. S. LITTLEFIELD, State Printer and Binder.

REPORT FROM THE PUBLIC TREASURER ON THE
STATE FINANCES.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, February 8th, 1870.

To the Honorable, the General Assembly of North Carolina :

GENTLEMEN :—I have the honor to enclose herewith a Report from the Public Treasurer on the subject of the State finances. Your careful attention is respectfully invited to this Report.

I have the honor to be,

With great respect,

Your obedient servant,

W. W. HOLDEN,
Governor.

STATE OF NORTH CAROLINA,
TREASURY DEPARTMENT,
Raleigh, February 8th, 1870.

To the Honorable, the General Assembly of North Carolina :

I beg leave respectfully to call your attention to the present condition of the Treasury.

My annual report, submitted in November last, as well as

that of the Auditor, shows in detail the receipts and expenditures for the year ending September 30th, 1869. For your information I give below some of the most important items in the aggregate of receipts, as well as expenditures, up to the present time, from October 1st, 1868.

RECEIPTS.—GENERAL FUND.

Sales of N. C. Rail Road Bonds,	\$117,600 00
General taxes on account of 1868-'69,	550,179 30
Special taxes,	351,017 89

Besides these, partial payments have been made by the Sheriffs, who have not settled in full, amounting to \$258,164.20, which are applicable to the general fund, the special tax fund and educational fund.

GENERAL EXPENDITURES.

I mention only the leading items of expenditures, as detailed in the reports and made since October 1st, 1868.

General Assembly, including printing and binding laws, &c.,	\$288,599 73
Salaries and expenses of Executive and Judicial Departments,	126,060 07
Asylums,	135,383 65
Turnpikes,	9,345 36
Penitentiary, (old,)	\$ 6,054 35
“ (new,)	36,146 20
	<hr/> 42,200 55
Interest on bonds, (not special tax,)	111,153 00
Interest on special tax bonds paid,	207,720 00

Various other items, such as expenditures for fugitives from justice, geological survey, militia, Presidential election, taxes refunded, Sheriffs for settling taxes, United States tax to North Carolina Rail Road Company, (\$9,000,) engraving and printing bonds, &c., may be ascertained on reference to said reports.

EDUCATIONAL FUND.—RECEIPTS.

Sale of Wilmington & Weldon R. R. stock,	\$148,000 00
“ Wilmington & Manchester R. R. stock,	10,000 00
“ Swamp lands,	2,000 00
“ Cape Fear Navigation Company,	3,250 00
Poll taxes,	79,023 81
Other taxes, such as liquor licenses, auctioneers and other receipts,	30,093 42

EXPENDITURES.—LEADING ITEMS.

Investment in State Bonds,	\$150,000 00
Loan to University,	5,000 00
Expense Account,	6,715 93

INTEREST ON SPECIAL TAX BONDS.

It will be seen above what amounts have been paid in under the special tax levies.

Of the amount paid as interest on the special tax bonds, before the resolution suspending their payment was introduced into your honorable body, the following is the detail:

Williamston and Tarboro' Rail Road Company,	\$ 11,190
Western North Carolina Rail Road Company,	136,830
Wilmington, Charlotte and Rutherford Rail Road Company,	29,400
Western (Coalfield) Rail Road Company,	30,300
Total,	<hr/> \$207,720

Of the eighty-nine Sheriffs in the State twenty-one have failed to settle in full, viz: Bladen, Buncombe, Burke, Caswell, Chatham, Craven, Cumberland, Davie, Granville, Harnett, Henderson, Jackson, Person, Pitt, Stokes, Rockingham,

Wake, Warren, Wautauga, and Tax Collectors of Hyde and Moore.

All of these have paid part of the taxes due, amounting in the aggregate to \$258,164 20. It can not be fully ascertained until a final settlement how much belongs to the special tax fund, to the Educational Fund and the General Fund respectively. From approximate estimates, however, I am of opinion that the Special Tax Fund, after adding to the amounts already collected the amounts hereafter to be accounted for by the Sheriffs, will be increased in round numbers to \$525,000, the Educational Fund to \$122,000, and the General Fund receipts from taxes of 1869 to \$485,000 in the aggregate. Deducting from the special tax fund the payments made as mentioned, there will be probably an unexpended balance of this fund of \$317,280, which I am directed by your honorable body not at present to pay.

Of the General Fund the whole amount has been, I think, already anticipated, so that for general purposes the Treasury is empty. This has been the case for several weeks, but the Board of Education has agreed to hold me harmless in case I should make payments out of the General Fund to an extent greater than the receipts of that fund shall warrant, agreeing to treat such balance, not exceeding \$70,000, as a loan to the State from the Board, with the understanding that the Board shall be reimbursed out of the general taxes as fast as paid in.

PRESSING DEMANDS.

Salaries due 1st January, 1870, are unpaid, and the Asylums and Penitentiary need considerable sums at once. There will be needed to pay the General Assembly and printing, &c., probably \$100,000. So that I may safely say that by 1st April next there will be a deficiency of \$300,000, which I have no means of meeting.

I have heretofore called your attention to the fact, which I desire to repeat for my own justification, that the deficiencies

in the Treasury, shown above, arise from circumstances over which I have no control.

1st. The Revenue Act recommended by me proposed a tax of 40 cents on the \$100 value, instead of 35 cents, as afterwards adopted. Besides some of the license taxes, for example those on purchases of liquors, were raised contrary to my proposal to such a height that by stimulating fraud, and in some cases by crushing the business, the receipts have been diminished.

2d. I earnestly urged that the valuation of 1860 for real estate should be adhered to for 1869, with liberty to have new valuations in cases of special increase or decrease in the value of property. I foresaw that the temper of the people was not favorable to estimating property at its true value, and the result has shown that in many sections the valuation has fallen far short of the truth. Some Counties have returned estimates far under those of their neighboring Counties, and when the returns shall all be made I think it will be found that in 1860 real estate alone was estimated only a little less than real and personal property combined in 1869.

3d. I think that the assessors and the tax-payers were stimulated to this excessively low valuation by the great increase of taxation caused by the large issues of special tax bonds. Most of these bonds were authorized after my report was submitted to the General Assembly.

The above observations are made with no intention of reflecting in the least degree on the action of the Assembly, but merely to put myself right in this matter.

SPECIAL TAXES.

According to the returns thus far made, and approximate estimates of future receipts from delinquent Sheriffs, it is now evident that the special taxes will be insufficient to pay the interest for which they were levied in every case, except that of the Williamston and Tarboro' Rail Road Company. If

payment of interest be resumed, it will be necessary to levy other taxes to supply the deficiency.

REPLENISHING THE TREASURY.

It is difficult to point out sure means of replenishing the Treasury. The continued non-payment of interest, and the sudden flooding of the market by large issues of new bonds, have caused our State credit to sink very low in the financial centers.

I beg leave to suggest a few points for your consideration :

1st. I recommend that a levy for the early supply of the Treasury be made, payable on the 15th of April next, say one-fifth of one per cent. on the real and personal property of the State. This amount can be credited on the taxes payable next Fall.

2d. I suggest that certain appropriations be postponed, for example that of \$100,000 out of the Public Treasury to the Board of Education, and of \$55,000 for certain Turnpikes also payable in cash out of the Treasury. It will be remembered that all the poll taxes which formerly belonged to the Public Treasury now go to the Educational Fund.

3d. I suggest that a special tax for building the Penitentiary and supporting the convicts be levied, payable on the 1st of September next into the Treasury, and due by tax-payers on the 15th day of July. Let the Penitentiary Board have power to borrow money at a rate of interest equal to eight per cent. per annum, and to pledge these special taxes as security.

4th. Let there be similar levies made for the Insane Asylum and the Institution for the Deaf and Dumb and the Blind, and authorize the Treasurer to accept drafts for limited amounts, payable out of such special taxes when collected. Let any public or private corporation have power to lend moneys to these institutions.

5th. Let the taxes payable for the above institutions bear interest at the rate of one per cent. a month after becoming

due for one month, and two per cent. per month thereafter until paid. This will secure prompt payments. This ought to be extended to all taxes.

6th. I further suggest that the Board of Education be instructed to lend to the State such moneys as may be needed, and that the opening of the Public Schools be postponed until the Fall of the present year.

I transmit herewith a statement of the probable expenses of the State government for the fiscal year ending September 30th, 1870.

This statement is based, in some instances, on appropriations already made; in others, on the expenses for the last fiscal year.

It will be seen that no estimate is made for the Penitentiary beyond the unexpended balance of appropriation already made. The Commissioners are unable, as yet, to furnish me with a statement of the probable amount that will be required for that institution.

I have the honor to be,

Very respectfully,

Your obedient servant,

D. A. JENKINS,

Public Treasurer.

STATEMENT,

Showing an estimate of the probable expenses of the State Government during the Fiscal Year ending September 30th, 1870.

LEGISLATIVE DEPARTMENT.		
General Assembly, including payments made since October 1st, 1869, and Estimating present session at 65 days,	\$ 143,000	
Public Printing,	25,000	
Binding Laws, Journals, &c.,	3,000	
Copying Laws,	1,200	
Distributing Laws,	1,500	
		\$ 173,700
EXECUTIVE DEPARTMENT.		
Adjutant General,	2,000	
Executive Department,	8,200	
State Department,	5,700	
Auditor's Department,	4,800	
Treasury Department,	6,750	
Department of Public Instruction,	3,900	
Superintendent of Public Works,	3,800	
Code Commissioners,	7,700	
State Library,	1,700	
Superintendent of Capitol,	950	
		45,500
JUDICIAL DEPARTMENT.		
Judiciary,		54,000
MISCELLANEOUS.		
Agricultural Societies,	1,600	
Capitol Square,	1,000	
Contingencies,	60,000	
Elections,	5,500	
Geological Survey,	5,000	

STATEMENT—(*Continued.*)

Institution Deaf and Dumb and the Blind,	46,000		
Insane Asylum,	62,000		
Penitentiary—unexpended balance of appropriation already made,	14,000		
Appropriation for Educational purposes,	100,000		
Marion and Asheville Turnpike Company, unexpended balance of appropriation,	44,389 64		
Turnpike in Carteret and Craven Counties, unexpended balance of appropriation,	4,280		
Sheriffs for settling taxes,	4,000		
		\$	347,769 64
Total,		\$	620,969 64

NOTE—In estimating the expenses of the several State Officers, five hundred dollars are added to the amounts paid as salaries, for contingent expenses, such as postage, printing blanks, and for necessary records and account books.

Ordered to be Printed.

FIRST ANNUAL REPORT OF THE BOARD OF
PUBLIC CHARITIES.

RALEIGH, NORTH CAROLINA,
February 10th, 1870.

The Honorable the General Assembly of North Carolina :

The undersigned, members of the Board of Public Charities, have the honor to present this, their First Annual Report, for the consideration of the General Assembly. Several suggestions are made that may not be altogether unworthy of attention, and such information is appended as could be obtained by the Board, and which is

Respectfully submitted by

G. WM. WELKER, *Pres.*,
EUGENE GRISSOM,
G. W. BLACKNALL.

REPORT.

The act defining the duties of "the Board of Public Charities" of North Carolina, makes it the duty of the Board to present an annual report to the General Assembly, and that it be printed. This *first* annual report must, in the necessities of the case, be but a meagre one, as but little opportunity and

no means were had to prosecute the purposes for which the board was created. While the act invests the board with sufficient powers to perform the duties that are required of it, no means are provided with which to accomplish their work. Only that has been done which could be performed without means, and results only are presented that were reached incidentally.

POWERS AND DUTIES OF THE BOARD.

For the convenience of the General Assembly and the information of the reader, we present the act as it may be found in the public laws of 1868 and 1869, chapter 170 :

AN ACT PROVIDING FOR A BOARD OF PUBLIC CHARITIES, AND PRESCRIBING THE DUTIES THEREOF.

SECTION 1. *The General Assembly of North Carolina do enact*, That the General Assembly shall, immediately on the ratification of this act, proceed by concurrent vote to select five electors, who shall be styled the Board of Public Charities of the State of North Carolina. One of the persons so elected shall hold office for one year, one for two years, one for three years, one for four years and one for five years ; the term to begin the first of July, eighteen hundred and sixty-nine. Appointments to fill vacancies in this board, caused by resignation, of removal from the State, death, or from any other cause, may be made for the residue of such term by the Governor.

SEC. 2. The Board of Public Charities shall hold regular meetings on the first Tuesday in January, April, July and October, and as often besides as they may deem needful. They shall make such rules and orders for the regulation of their own proceedings as they may deem proper ; they shall investigate and supervise the whole system of the charitable and penal institutions of the State, and shall recommend such

changes and additional provisions as they may deem needful for their economical and efficient administration, and no changes shall be made in the management of any of the institutions without the advice or consent of the board. They shall receive no compensation for their services except their traveling expenses, which shall be allowed and paid.

SEC. 3. The general condition of the State as effected by crimes, vagrancy and pauperism, shall also come under the view of the board, and it shall be their duty to report to the General Assembly when, in their judgment, it may become needful for the erection of the several reformatory institutions whose organization is provided for in article eleven of the Constitution.

SEC. 4. The board shall give special attention to the causes of insanity, defect or loss of the several senses, idiocy, and the deformity and infirmity of physical organization. They shall, besides their own observation, avail themselves of correspondence and exchange of facts of the labors of others in these departments, and thus be able to afford the General Assembly data to guide them in future legislation for the amelioration of the condition of the people, as well as to contribute to enlighten public opinion and direct it to interests so vital to the prosperity of the State.

SEC. 5. Personal visits may be required by the board of one or more of its members, or otherwise, to make careful investigation into the condition of the several county jails and almshouses, and the treatment of their unfortunate inmates, and report on these points, so that the provisions of section six, article eleven, of the Constitution may be enforced.

SEC. 6. Whenever the board shall have reason to believe that any insane person, not incurable, is deprived of proper remedial treatment, and is confined in any almshouse or other place, whether such insane person is a public charge or otherwise, it shall be the duty of said board to cause such insane person to be conveyed to the State Asylum, there to receive the best medical attention. So, also, it shall be their care that

all the unfortunates shall participate in the charities of the State.

SEC. 7. The board may require the superintendent, &c., of the several charitable and penal institutions of the State to report to them of any matter relating to its inmates, their manner of instruction and treatment, with structure of their buildings, and to furnish them any desired statistics at their command.

SEC. 8. The Board of Public Charities shall annually prepare and submit to the General Assembly a complete and full report of their doings during the preceding year, showing the actual condition of all the State institutions under their control, with such suggestions as they may deem necessary and pertinent, which they shall print.

SEC. 9. This Board shall make a special report to the General Assembly of eighteen hundred and seventy, on the cause of crimes, pauperism, &c.

SEC. 10. This act shall be in force from and after its ratification.

Ratified the 10th day of April, A. D. 1869.

At a meeting of the members of the board appointed and named in this act, held in the city of Raleigh on the 20th day of May, 1869, the Rev. G. Wm. Welker was chosen President of the Board, and W. J. Palmer was elected Secretary. The term of the several members was fixed by lot, and that of G. W. Gahagan was for *one* year, that of G. W. Blacknall for *two* years, that of G. Wm. Welker for *three* years, that of Eugene Grissom for *four* years, and that of William Barrow for *five* years.

At this meeting steps were taken to obtain information respecting the condition of the jails and poorhouses of the State. See report of Secretary.

July 6th, 1869. Circulars were ordered to be sent to the Chairmen of the Board of Commissioners of each county.

Dr. G. W. Blacknall was appointed to visit as many of the

poor houses and jails of the State as practicable and report on their condition. His report will be appended to the report of the board.

December 13th, 1869. In compliance with a request of the General Assembly, it was provided for to obtain information in regard to suitable buildings for the insane in different parts of the State. See report to General Assembly.

Also, a circular was sent to the Chairman of the Commissioners of each county to learn the number of insane and idiotic persons in the State not now in the Asylum. See report of Secretary.

It has already been stated that the board had no means appropriated for the prosecution of their work and did not feel at liberty to ask any in the present condition of the State finances although the benefits of a wise use of a limited amount of means would be of great service to the State. The Constitution declares "that the Board of Public Charities shall be entrusted with the supervision of all charitable and penal State Institutions." This is a work that challenges the use of all the time and energy of men of leisure. The members of the board are all burdened with duties and labors that occupy their whole time and test all their energies. Much that has been done is owing to the earnest labors of the Secretary of the Board whose toil has no reward but the consciousness of doing good. The members of the board should have leisure and means to gather facts in relation to the cause of crime, idiocy, insanity and pauperism from all parts of the State, so as to enable the General Assembly to adopt preventative legislation, in order to the decrease of these calamities, and to lessen the burden of taxation. It is also of utmost moment that the treatment of prisoners in our penal institutions receive attention, in order that the convicts may be reformed, so that every year the number may grow less in proportion to population. An examination of the provisions of the act providing for the appointment of the board will show that that is no unimportant or light work committed to them

by the State, and that these questions, on which they should place information before the General Assembly, are needful, in order that action be not taken without data—that has no reason for it but custom, and that may rather serve to increase the crime, misery and pauperism of the State than to lessen it.

THE PENAL AND CHARITABLE INSTITUTIONS OF THE STATE.

The charities of our State have not been varied or lavish, and there is not much that we can present with laudation. Even to this day no institution has been established in this State whose object is the reformation of the vicious or the restoration of the fallen. It was not altogether the old institutions of the State that produced this indifference, and our purpose does not require us to demonstrate the real cause. The county jail, one of which was usually erected on the creation of a new county, was the completion of the necessary trio—the court house, the whipping post and the jail. There was nothing in the structure or management of these prisons, and is not to this day, so far as the Board are aware, that indicates any serious attempt to improve the morals or intelligence of any of the numerous unhappy beings who have for a time been their tenants. Their inmates were not only secluded from the outer world, but from all its sympathies and interests. It was not felt by society that anything was proper to be attempted in their behalf, except in some cases, once or oftener, to lead them from the place of incarceration to the pillory to be publicly whipped—not so far as experience testifies, a very improving moral or intellectual discipline. In those receptacles of accused persons and criminals, persons of every age and grade of moral character were huddled together indiscriminately, and so are to this day, and perhaps until recently no regard was had to sex, and both were herded in the same cell. Whenever an unhappy being passed these prison gates all claim to decent regard or christian sympathy was left behind, and he who said “when I was in prison ye visited me” could rarely have said so here unless it was by relatives or special

eases of interest or notoriety. Even the physical wants and comforts of these unfortunate beings were not cared for, and often they were made to suffer from brutal treatment and cruel neglect.

Even very recently, in these cold and cheerless houses without fire, their feet have been frozen by winter, and in these same ill-ventilated and unsheltered buildings they swelter and almost perish from heat during the summer. Many of these prisons are filthy in the extreme and offensive to every sense.

The county almshouses are also an institution of the olden time and very properly called "poor houses." These are the receptacle of the infirm, aged and diseased who are destitute or cast off by unnatural or equally poor kindred, the orphan and the child of poverty for whom beats no heart warm with the kindly emotions. Here is almost equal banishment from the presence of human love and care as in the case of the prisons. The respectable, aged and infirm pauper is shut up with the worn-out strumpet, whose very presence is pollution, and no care is had in many cases for the innocence of childhood. Perhaps at rare intervals a sermon is preached at the "poor house," but no provision is made for teaching the children gathered there, or the religious instruction of any of its inmates. The State appears satisfied with the knowledge that there is a poor house—that there is an annual tax imposed upon the citizens which is in some manner supposed to advantage the poor. No enlightened christian concern is felt for the welfare and comfort of these forlorn creatures, or for the education and training of the neglected children of want, who know nothing of the blessedness of parental affection. Something more is surely demanded of a christian State than what is now done in these institutions to prevent and punish crime, and to provide for the infirm and poor properly. The whole system, or rather want of system, that seems to have grown up by accident and without any benevolent concern for the welfare of the pauper classes, or the reformation of the erring or vicious, needs patient and thorough revision. No better

direction could be given to public sympathy than to point it to this field of action ; or to the efforts of enlightened patriotism or intelligent statesmanship, than that the legislation originating these institutions have a higher moral value, and that the character and interests, both of the State and society, be considered in all that respects these houses for the vicious and unfortunate ; that the principle and actions of Him who was the friend of the erring and poor be brought into requisition and their efficiency tried in the cure of great moral and social evils that are the problem of the present age.

It is with pleasure that we now turn to those two institutions—the pride of North Carolina—the Institution for the Deaf and Dumb and the Blind, and the Asylum for the Insane.

The education of the Deaf and Dumb received attention in this State as early as 1828. On January 8th, 1845, a bill was passed making an appropriation for this purpose and to levy a tax of \$75 on a county for each pupil that was sent to the Institution. In January, 1847, an act was passed appropriating money for the erection of suitable buildings for said Institution. They were completed in 1849, and occupied in January of that year for its benevolent purpose. It has been growing in usefulness and importance to the State ever since. It only asks from the people of the State the confidence it has hitherto received, and that they cherish it as its purpose demands. The department for the Blind was organized in connection with this Institution in 1851, and now *light* finds its way into their mind, and life is made tolerable and even pleasant to them also. Since the close of the war a department—the first instance in the South—has been organized for the colored youth where they enjoy every advantage that the most favored in their condition can enjoy.

The Asylum for the Insane had its origin in the wise and earnest philanthropy of Miss Dix, who visited the State in the winter of 1848 and 1849, and was successful in enlisting the General Assembly in behalf of the unfortunate insane, so that an appropriation of \$80,000 was made for an Asylum. In

February, 1856, it was sufficiently completed to receive patients, and from that day to this hundreds have enjoyed its advantages.

So firm is the hold of this Institution on the public heart—so widely spread over the State are its blessings—that even a demagogue need not be afraid to levy taxes on the people for its support. It cannot fail to elevate the mind and enlarge the heart of any one to pass through its wards and see what the charity of a christian State can do to redeem its unfortunate children from the greatest of calamities.

THE CONSTITUTION OF THE STATE.

This instrument was planned with a purpose to place our noble old State among the foremost of all her sisters in the charities that redeem and alleviate the condition of her unfortunate or vicious classes. The several provisions thereof that relate to the duties of the State toward the suffering and criminal are clearly an advance on the past of her history and policy. It proceeds to require certain action that necessitates the assumption that all the unfortunate are alike the children of the State—that *all* such shall be cared for at the expense of the State, and thus with prudent forecast relieving the minds and hearts of the poor from the distress occasioned by their designation as paupers. All ranks and classes meet now in the halls of our great public charities on a complete equality. It were not possible more deliberately to do away with all distinction in their treatment by the State of all those who claim a part in her enlightened sympathies. Not only this, but such provision is equally just. It grants to all who need it the benefit of a bounty secured by the taxation of all property. Each feels that what he bestows upon others, they, in like manner, may bestow upon him and his.

But few of the States of the Union have as yet completed their system of institutions for the restraint of the vicious, the reformation of the fallen, the punishment of the guilty and the comfort and welfare of the unfortunate. The Constitution

of North Carolina has marked out for the General Assembly a course that even now presses for completion, and only the inability of the people to meet the demand for the means can excuse it for neglect or delay. Every country almost has its idle and vagrant population. Every city and community has its neglected children and uncontrolled youth, whose very neglect is training them for crime, and who are soon to be a burden to the State and the violators of its laws. To prevent such a result, to turn their elements of power for good or evil, so as to neutralize their harm or convert them into engines of moral power in the State for its well-being, is both policy and economy.

Under this view it is that the Constitution makes provision for the erection in the future of Houses of Correction for the vagrant, and Houses of Refuge for those who are the waifs of society. It is of the utmost moment that these intractable elements of a peoples power be utilized for their advantage, growth and glory; for, if neglected, as certain as necessity, they will prove the peril and ruin of society. It is intended that to the orphans,—and they are counted by thousands,—the sad fruit of the late war, many of them, the State shall before God and society, be to them as parents, that they have afforded them every facility, every care to become by education and by habits of business, fitted for the position awaiting them in this great Republic, and for the duties and responsibilities of life in enlightened society. They are in part, the hope of the State, and it is eminently important that they be not blasted by neglect and want. They will become her ornaments or her shame. It depends essentially on the manner in which the State may discharge her duties towards them whether they will cause her to rejoice over them or to weep over their ruin. Such was the thought embodied in the Constitution. One of the saddest sights that is revealed by the light of the sun as in his march he looks down on our revolving darkened earth, or that makes the philanthropist shudder in discouragement, is the sight of intellectual imbecility and the demented

victim of strong drink. They exist as dark figures on the back ground of every picture of the prosperity or happiness of the State. These too are taken into account. Enlightened, christian civilization, philanthropic statesmanship must ask what shall be done with them? Shall the finest intellects, the most genial spirits of our State, bound by the infrangible fetters of habit, be doomed to perish in a drunkard's grave and the State have no care for them? Such has been the conduct of our State in the past of our history, and thousands now fill untimely graves who well might have said: "No man careth for my soul." Until this day no legislator has had the moral courage, urged to a noble deed by the appeals of widows and orphans, to raise his voice to ask of the State for these victims of untold horrors, these splendid bondsmen of sin, that a *cure* be provided for them by the suffering State as is provided by the Constitution that it may be done. It even declares that it shall be the duty of the General Assembly to put forth the hands of the State for these, often her valuable and brilliant children, and rescue them from impending ruin and shame by devising means for their restoration. Other States already are engaged in this great work of pity—New York, Massachusetts, *et. al.* have made provision for the rescue of their imperiled children. Shall then these provisions of our Constitution only mark the neglect of this duty, or its own advance beyond the progress of the spirit of the people as seen in the General Assembly.

In how many households of this State are there grinning, gibbering skeletons in the shape of an idiotic or mentally imbecile member. It has been taken for granted that a life so desolate, scarcely a remove from the brute, could have no alleviation of its intensely dreary sadness. Our *eminent* statesmen have ridiculed the idea that one ray of truth, light or love could be made to irradiate that chaotic and darkened understanding. Christian love and natural affection alike, appear to have been paralyzed before the wrecked or misformed mind that was thrown upon its care. Thousands have been,

many are even now, cast into that common receptacle, the county poorhouse, where amid filth and neglect, they do not live but only languish out the burden of an existence that is scarcely more than physical, or they are consigned to an asylum for the insane where no special provision is made for them ; or still oftener, they are the constant, living, moving sorrow of the family that know no means to alleviate its own great grief, and cannot command, or even does not hope or know that a cheerful beam of gleaming intelligence might perhaps be made to flit over that face, or that in the evidences of care, modesty and cleanliness, there were proofs of awakened intelligence and of glimmering consciousness. Our Constitution deemed it possible to do what private means could not accomplish—devise means to train or educate to some degree all that is human and capable of being taught to imitate in such a creature and that could be called forth by painstaking effort. It is the proof of faith in the power of christian love and patient, sacrificing labor—labor that while we write has its reward in the traces of light and affection that flit over the faces of those unhappy beings on whom rest so great an affliction in the institution of South Boston, Syracuse, Media and other places. If aught can be done to shed one ray of hope or joy on the dreary pathway of such, let it be done—let the sceptic deride and scoff, let the inert and unloving yawn, but do not let the guardian of the poor and helpless—the State—be indifferent. If he is a benefactor who makes two blades of grass to grow where but one grew before, how much more so is the State that enlarges the power to enjoy life, and that recovers and redeems the victim of vicious appetite and those of feeble minds.

No greater proof can be given of the indifference to the welfare and character of the criminal and pauper population than the wretched hovels that are made to answer the purpose of almshouses, and the horrid places called jails, where every sense is offended. The Constitution of the State proposes to remove these blemishes from her character by requiring the

General Assembly to secure to the prisoners the means of breathing pure air, the denial of which is not supposed to be implied in any judicial sentence to imprisonment. It also requires that the mingling of the sexes shall not be allowed.

That the institutions of the State—penal, reformatory and charitable—may not become centres of idleness and vice, that the primal law which imposes labor on all should not there fall entirely into desuetude, the Constitution also provides. It guards the people against reckless, lavish expenditure, while it demands that labor shall be imposed upon all that enjoy the benefactions of the State, and that they contribute all that is in their power to their own support. This is a provision that *wise* charity insists upon and such as the people approve and commend to the legislators of the State, and which the board also fully approve and believe alone to be consistent with the best interest of all those who are interested in these great duties of the State.

THE IDEA IN PENAL INSTITUTIONS.

A very marked change has been made manifest in the prevailing idea giving character to penal institutions since the day when Howard sacrificed his life in attempting the reformation of such institutions, or the calm, sweet voice of Mrs. Fry was heard in the cells of the vicious and abandoned in those receptacles for criminals in England. It is no longer simply to punish—no longer to vindicate the majesty and severity of the law alone, but the idea is justly set forth as it respects those of civilized lands where the gospel of “good will to man” holds the sway—in the words of our fundamental law, “that it is not only to satisfy justice, but also to reform the offender.” So fully is this in harmony with the spirit of the age that in statute books of nearly every State in the Union there may be found the declaration of this as the purpose of their prison restraint. This idea was entertained and embodied in the laws of some States soon after the war of

1776 gave the people time to perfect their own free institutions. The Commissioners of the New York Prison Association, in their report of 1866, give very full information as it respects the prevalence of this view. The uniform answer they received to the question "What do you conceive to be the primary object of prison discipline?" from the warden, inspectors, etc., of prison, was: "The reformation of the imprisoned." As this State is now for the first time in her history about to erect a penitentiary, it may not be amiss to invite the attention of those having its conduct and the charge of the convicts, to this most interesting and important question. It is well known that in 1846, when the question of "a penitentiary" or "no penitentiary" was submitted to the direct decision of the electors of the State, the project was voted down by the most decided majority—not one county, if we remember correctly, casting a majority of votes in its favor. No effort has since been made to accomplish so important a work, although many persons in all parts of the State favored the erection of such an institution. It was deemed a hopeless effort, and no man was willing to sacrifice his personal popularity in its championship. It was only in the reconstruction of the organic law, after the close of the recent war, that provision could be made, under greatly altered circumstances, in the new Constitution for such an institution. Even at this late day there is a strong minority in the State who still believe in "the whipping post," and who esteem it as the very ideal of the *expression* of insulted justice. With such, penal inflictions have no end but to avenge wrong and deter from crime. The reformation of the criminal—the restoration of a *man* to society and the State as a virtuous human being and a valuable citizen, is no part of their object, and to reform does not claim their attention as feasible or desirable. Doubtless, time with its observations and experiments, will serve to change such views—with increase of light and the wider prevalence of the spirit of Him who said: "I was in prison, and ye came unto me," will secure friends to the guilty and

fallen, in such persons. While it is no purpose of this report to propose any system of prison conduct or agency of reformation, it may be pardonable to insist on the fact that the reformation of the convict is possible, and use this possibility as a motive to induce the adoption of every means warranted by experience, enlightened reason and christian charity, to compass an end so very desirable. It is to be hoped that the exploded notions of the hopelessness of the reformation of the convict population will never find a place in the plan or views controlling the State Prison. The result under this view, of perhaps the best conducted American Penitentiary—that of Massachusetts, in the testimony of the Warden, Mr. Haynes, is that 80 per cent. or four-fifths of all the convicts can be redeemed. All those who are conversant with the history of our States' prisons in recent years, hold that much the larger proportion of them can be reformed and restored to society as honest men. Capt. Machonochie, who, "in an incredibly short space of time transformed the community of thieves and ruffians, brutalized and sunk to the lowest depths of vice and crime, in the penal colony of Norfolk Island, into a society of peaceful, obedient and well-behaved men—" this man "says that convicts can be gained *to a man* by a system which would study their natural feelings and seek their own improvement, together with that of their country in their treatment." This may seem extravagant, and perhaps not soon or easily realized, yet the uncommon success of this remarkable man gave him full warrant to believe as he held on this subject. Unquestionably it demands and allows that the attempt be made in every prison to reform every convict placed in charge of its officers. No greater service could be done a State than this, and it opens a path of noble endeavor to every benevolent and christian man. No doubt there is yet much to do before the most perfect system of prison discipline is adopted—much to be learned of the most successful mode of reaching the criminals and leading them to abandon their habits of vice, and to adopt a virtuous and honest life. No effort certainly

will prove vain, and no labor will remain unrewarded. The Statesmen and Philanthropists of our day have had done for them a grand work by those who have gone before them, and it remains for them to follow and surpass.

THE MEN TO SUPERINTEND.

With the question of convict reformation is closely allied that of the character and fitness of those to whom is entrusted this important service for the State. This will be deemed very delicate ground to traverse, and must require very judicious advances. Were we to say just in one sentence, what lies clear in our mind, it would be that no other position requires such an assemblage of rare and varied qualifications as those that fit men to treat properly and successfully the unfortunate and criminal classes. No such talents are required in those that command armies or govern States as in those who govern and manage these unhappy beings whom the State assembles in an asylum or confines in a prison. This subject has already claimed the attention of those who are most interested in the welfare of these classes of human beings, and the success of many Institutions is greatly impaired and serious harm done to the inmates as well as the State, by having improper men placed over them. When an examination shows the utter failure, in many cases of our County Almshouses to meet the demands of enlightened charity, and our County jails as receptacles of criminals, where only vice is engendered, it usually follows, on inquiry, that the unfitness of the presiding officer is at fault for the system, for even a bad one should work better results. Often the incumbents of place are the results of a false economy or a reward for partizan services. There is no doubt but these things are the cause for most abuses that are found to exist in any of these institutions. It is poor economy, worse policy, and still worse rule of action, to prefer a man to any position where the happiness or reformation of a human being is concerned only because

his services do not cost much. In the end it is great expenditure without adequate result, and great wrong done to the wards of the State. It is with a view to reach a correction of these evils that the board have proposed to themselves the work of collecting correct and ample information, as it respects the condition and management of all the almshouses and jails in the several counties of the State. So far only a portion of the work is accomplished, yet the result is not by any means satisfactory, and will be found in the report of the Secretary, appended to this report. When, also, the most important positions are the reward of services done for a political party, and subject to the short rotations caused by frequent changes, there is inaugurated a system, the consequences of which can only be disastrous to such institutions. The changes in political dynasties being so frequent there is not time to become even interested and acquainted with the duties of the office or to mature and frame, much less elaborate practical improvements. The progress and elevation of prison conduct can only be the result of patient trial, and requires that the officers of these institutions, when found to be capable and efficient, to be permanent. In order to obtain a faithful and efficient corps of officials at any institution of the State, care should be had, first of all, to capacity and fidelity. Removals should be promptly made for the want of these qualities—the result will be to sift out all incompetent and unworthy men—to retain the valuable without respect to political affiliation, and thus getting the right men in the right places, it will secure an efficient and successful administration. Rotation in the offices of State institutions, both charitable and penal, with the successive displacement at very short periods by party ascendancy, has been the bane of such institutions in other States. This is the uniform testimony that is given in all cases; and a tender concern for the welfare and prosperity of those institutions about to be manned, should lead their friends, in whose discretion is placed the power of appointment, to demand fitness and honesty as absolutely essen-

tial to the designation to any office. It is proper that all institutions of this character should be exempted from that rule of party that declares "to the victors belong the spoils." The people should teach the victors in party contests that here is a domain of the State—a world outside partizan contests, where holy duties to the unfortunate and fallen find exercise, and where this rule has no fitness of application, and where they are not allowed to intrude, in order to receive reward for service done and earned in an entirely different sphere, and in a spirit alien to the work here to be done. In the asylums for the unfortunate and innocent wards of the State it is eminently fitting that only men of exalted and moral character should be placed. It is revolting to every virtuous mind to have placed over the charities of the State men whose conduct fills every pure heart with loathing. Can such men, with propriety, manage and oversee the innocent children of the State? Can they represent the spirit of christian charity that seeks to bless and make happy those on whom rests the hard lot to be bereft of any sense? Equally so is it important that such men should not be set over the vicious and fallen. Such patrons would lead to confusion and degradation—make the vicious to hate the State—would lead them to despise counsel, and confirm them in vice and crime rather than reform and save. The men who represent the enlightened benevolence of the State should be patterns of virtue—examples to those whose guardians they are. Aside from this crowning qualification in those who have rule in such institutions, many other qualifications of mind and heart, of experience and peculiar habit, are needful, and make a rare union of gifts in those who shall be the immediate overseers of such institutions. The board will be suffered to recommend these things to the powers that may exist, to fill these offices or to create and define the duties of such officers.

DURATION OF SENTENCES.

It may not be improper to call the attention of the General Assembly and the Judiciary of the State to the matter of the duration of sentence to imprisonment in the jails and penitentiary. *First:* To the inefficiency of punishment in the penitentiary when sentences are very short. In cases where the sentence is only for a month or two *the punishment* is hardly appreciable by the convict, and no beneficial effects are secured by it. They cannot, in such time, be brought under any moral restraints. It is not of sufficient duration to teach them a trade or even to read, and they will pass out only that they may again deprecate upon society—that they may, at the cost of the people, be convicted anew. In all the cases where the offence is not such as to justify a term of at least six months, or perhaps rather a year, and where fines cannot be collected or are not adequate, it were better for the State and better for the criminal to sentence him to the county jail, but we would commend the entire question to those whom it concerns directly. It is a question whether any sentence short of one year is any punishment at all aside from the *disgrace*—which only serves to *degrade*. It is very probable that this term is the shortest that affords room for the hope to realize any of the reformatory effects resulting from enlightened prison discipline, so that the convict may return a better man and qualified to earn an honest livelihood, and fitted for the duties of a citizen.

Secondly: The Inequality of Sentences.—The board are aware how very difficult this matter must be in its adjustment. Yet it is possible that legislation may improve on the present want of system or uniformity. In most cases of crime a large margin is allowed for time to which the sentence may extend, ranging from one to thirty years. It is very true that cases of the *same* crime may be more or less aggravated, and that the Judges may have the very best reason for the disparity of sentence. But in cases of first conviction there is excited a feel-

ing prejudicial to the prisoner's reformation when he learns that another man from an adjoining county for the same crime as his, for which he is sentenced thirty years, has only one year to serve in the Penitentiary. He cannot see that it is just. His own innate sense of fairness is aroused against the authority of the State, and it becomes difficult to overcome his sullen sense of wrong done to him. He becomes a source of trouble in the prison which he would not be did he feel that he was dealt with as all are that were guilty alike with himself. His State and her institutions, society and its benefits, lose their value and attraction to such a man and his reformation may be regarded as hopeless. Our attention is called to this question on looking over the several terms to which convicts are sentenced for the same crime to our infant Penitentiary, viz : Arson, *five* years ; stealing four pieces of meat, *five* years ; felonious slaying, *three* years ; a child 15 years old, stealing a suit of cast off clothes, *one* year ; attempt at rape, *five* years ; stealing \$15, *four* years ; a case of burglary, *thirty* years ; another, *one* year ; robbery, *ten* years ; another case, *one and one-half* years ; manslaughter, *five* years ; assault and battery, *two* years ; rape *five* years ; stealing, *four* years. Should our legislation be as near equitable as possible, yet perhaps, it still may be proper for the Judiciary of the State to reach some common rule to guide them in fixing the term of their sentence for the various crimes known to our law. If any existing defect in the penalties attached to certain crimes by our laws can be remedied, there is a guarantee in the position and character of the Judiciary that they will unite with those who have the oversight of our penal institutions in the great effort to reform the criminal, and that they will not willingly increase the obstacles that lie in the way. It is desirable that the legislation of our State and the conduct of our penal institutions shall become so related by and by that the sentences of criminals instead of being arbitrary as to time, will be made to depend *alone* on the evidences of such reformation as will prove it safe to return the criminal to society. The day that

places our prisons in the hands of wise, good and experienced men, will also make it safe for the General Assembly and the Judiciary to commit all criminals into their custody only to be set at liberty when punishment has effected its main purpose, and when a recommittal would be feared as the most dire calamity.

PARDONS.

The Constitution of the State commits to the Governor the power to pardon those sentenced to death or imprisonment. It is proper that this power should be lodged somewhere, under existing modes of treating criminals. We have no purpose to arraign the wisdom of this provision, or to find fault with any pardon bestowed, but only to speak of the great difficulties that surround most of the cases where pardon is sought—the effect on prison discipline and on the prisoner's reformation. The short experience of this State in prison discipline does not afford many data, but it is evident that a hope of pardon is entertained generally among the convicts, and it so occupies their thoughts that it interferes with their duties and makes the reformation a deferred matter. It is a very questionable kindness on the part of friends to assure them that efforts will be made to obtain their pardon. It is yet more improper for prison officials to hold out to them any hope of this kind. Whatever is done for them should be done without their knowledge. The very life power of punishment for crime, as a reformatory agency, is its certainty. The possession of the power subjects the Chief Executive of the State to great annoyance and unnecessary importunity, yet it is only seldom that it can be used with benefit to the prisoner or the country. In cases of atrocious crime no pardon should be extended, and in no case unless the warden of the penitentiary can commend the criminal for such act of clemency. In cases of capital conviction the power to commute the sentence to imprisonment is one less dangerous in its exercise, as it only

substitutes one form of punishment for another, but, perhaps, even the effect of this is unfavorable to the repression of crime. Let there be no uncertainty as to the consequences of crime. Let the penalty of the law be just and equal, and then inflicted with unfailing certainty. This is a matter to be viewed simply, we judge, in the light of its effect on crime, and the life and reformation of the guilty ones.

STATISTICS.

The attention of the General Assembly is also directed to the fact that at present no provision is made by which the statistics of the county prisons and almshouses are required to be collected and returned to any officer of the State, or to this board. Such legislation as will not only require to be reported the number of the inmates of such institutions, but also the place of their nativity, their color, their occupation, previous condition, their degree of education, their moral training, their habits, the character of their parents, whether brought up in the country or in cities or villages, with all other information that will enable an approach to be made at some conclusion relative to the causes of crime and pauperism in the State.

FOR THE DEAF AND DUMB AND THE BLIND INSTITUTION.

This institution needs only to be visited to learn at once that its present location is not a fitting one—not only is it too small to afford room for all those who are by the Constitution entitled to its benefits, but surrounded, as it is, by other buildings, and having only a few acres of ground, it affords no adequate play-ground for the many active children collected there, who need daily exercise not only for enjoyment but for the preservation of their health. The suggestion of the Principal, made in his last annual report, that a location be found in the environs of the city of Raleigh, is very proper. While

it should contain not less than fifty acres, it should be a dry, airy and elevated site, where perfect sewerage could be had—that part of the grounds should be devoted to gardening, where the vegetables and small fruits needful for the institution might be cultivated by the larger boys, and afford them healthful employment a few hours every day. The grounds surrounding the building could be laid off and ornamented, so as to add attractiveness to the place. This being done, the present building could be devoted to the blind, whose misfortune does not permit them the pleasure of a play-ground, or to labor in the field and garden.

THE INSANE ASYLUM.

This noble charity also fails to meet the demands made for admission, and to-day several hundreds are unprovided for, with the care that it was contemplated they should have. The accommodation should be largely increased. This demand has been recognized by the General Assembly in their action requiring this board to give information of suitable buildings for this purpose, in several sections of the State. It may not be improper to repeat a suggestion already made, that in point of economy, it would not be advisable to provide such temporary institutions, and that the successful treatment of insane patients, in the judgment of those competent to decide, is best secured when the several classes of patients are under the same roof and the same management. The board would suggest that, as the present asylum building is so constructed as to admit of its enlargement, and as a larger number of patients can be managed and cared for, without greatly increasing the present corps of officials, immediate and effective steps be taken to enlarge the present buildings, so as to accommodate 450 or 500 patients. The economy of the measure demands its adoption, and the claims of those waiting and suffering press it eloquently.

THE PENITENTIARY.

This great work undertaken by the General Assembly is worthy of the confidence and support of the people. Should its great purpose be realized it will add to the character of the State abroad, and will become one of the finest institutions of the kind in the United States. There will be needed the prompt and liberal appropriation of large sums of money. There should be no delay in the prosecution of this work to its completion. Economy demands that there be no hinderance interposed by any cause. It is important that all the convicts be assigned to profitable labor as speedily as possible, thus reducing the annual expenses to the people. There is also a large amount of very important legislation required by the establishment of a State's prison that the necessities of the case and the experience of similar institutions will make manifest. Early attention should be given to this matter so that no contingency can occur that will create difficulty in its conduct.

SECRETARY'S REPORT.

OFFICE OF THE BOARD OF PUBLIC CHARITIES OF N. C.,
RALEIGH, February 10th, 1870.

*To Rev. G. W. Welker, President Board of Public Charities
of N. C., Raleigh :*

SIR :—I beg leave to present the following report containing such information as I have obtained in relation to the Penal and Charitable Institutions of North Carolina, from the time of the organization of the Board of Public Charities, May 20th, 1869, to February 10th, 1870.

In accordance with a resolution of the Board, passed at a meeting held July 6th, 1869, I addressed the following circular to the Chairman of the Board of Commissioners in each county in the State :

OFFICE BOARD OF PUBLIC CHARITIES,
RALEIGH, N. C., July 7th, 1869.

SIR :—The undersigned, having been elected and organized under an act of the General Assembly, entitled " An act providing for a Board of Public Charities, and prescribing the duties thereof," ratified April 10, 1869, beg leave to request that you will cause full and accurate answers to the subjoined questions to be made and returned to this office, directed to W. J. Palmer, Esq, Secretary, with as little delay as possible.

Very respectfully,

G. W. WELKER, *President.*
WM. BARROW,
EUGENE GRISSOM,
G. W. BLACKNALL,
G. W. GAHAGAN.

PRISON.

QUESTIONS.

1. Of what material is your County Prison built?
2. Is it fire proof?
3. What means are there for extinguishing fires?
4. What is the size of the building?
5. How many stories high, and how many rooms and cells for prisoners?
6. State the size of the rooms and cells.
7. What size are the windows in the rooms and cells, and how many in each?
8. Are the windows closed, or in any way obstructed? If so, why?
9. Are there any means of ventilation except by the windows?
10. What are the arrangements for heating the building in winter?
11. Are the prisoners subject to much suffering in cold weather?
12. What amount of bedding and covering is allowed and furnished each prisoner?
13. How many prisoners now in confinement?
14. What part of the prison is occupied by the male and what part by the female prisoners?
15. How often is cool drinking water furnished them during the day?
16. What is the daily allowance of food to each prisoner?
17. Has any punishment been inflicted upon any prisoner since confinement? If so, who? By whom? What punishment? For what offence?
18. What means are used to preserve the cleanliness of the jails? What disposition is made of the excrement?
19. Give the name, age, sex, color, offence or crime, date of imprisonment and term of confinement of each prisoner.

POORHOUSE.

QUESTIONS.

1. Is there a poorhouse in your county? If not, what provision has been made for taking care of the poor?
2. How far is the poorhouse from the county seat?
3. State the number of buildings, size of each, and of what material built?
4. How many rooms in each building?
5. How are the buildings and rooms ventilated?
6. What are the means of protection against fire?
7. How is the supply of water furnished for drinking, cooking and bathing purposes?
8. How are the buildings heated in winter?
9. How many inmates can be accommodated with the present arrangement?
10. How many now in charge?
11. How many of these are able to work?
12. How many are helpless and bed-ridden?
13. How many are under involuntary confinement?
14. Give the names of all such, and the cause of confinement, either here or in a separate list.
15. What is the daily average of food allowed to each inmate?
16. What is the average weekly cost of maintenance of each?
17. What is the name of the keeper or overseer of the poorhouse?
18. Is he industrious, sober and discreet?
19. What pay does he receive?
20. What is the name of the physician who attends the inmates?
21. How far does he reside from the poorhouse?
22. What pay does he receive for his services?

23. How many inmates were there in poorhouse July 1st, 1868?

24. How many admitted since that time?

25. How many deaths since that time, and of what disease did they die?

26. How many discharges from other causes?

27. Give a general description of the premises. Are they well arranged, neat and in good condition, or dilapidated and out of repair?

28. How many acres of land belonging to poorhouse tract, and what is the quality of the land?

29. How much is in cultivation?

30. What crops are raised on the land, and how are the products used?

31. What vegetables are raised for summer and winter use?

32. Are the houses and yard protected by shade trees?

33. Are the ashes and manures saved and used in improving the land?

34. Has any punishment been inflicted upon any inmate since admission? If so, who? By whom? What punishment? And for what offence?

In response to this circular, I received returns from seventy-one counties. The following counties have sent in no report up to this time:

Alleghany, Cabarrus, Caldwell, Carteret, Columbus, Currituck, Edgecombe, Harnett, Hertford, Jackson, Johnston, Jones, Macon, Madison, Mitchell, Orange, Rutherford and Stokes.

The information contained in the returns received, is embodied in the papers appended to this report, as follows:

I. General report of the condition of the Prisons and Poorhouses in the State.

II. Tabular Statement, showing the number, condition, &c., of the inmates of Poorhouses.

III. Tabular statement showing the number of prisoners confined in the county prisons.

IV. General statement showing the ages of prisoners.

V. General statement showing the crimes and causes of confinement.

At a meeting of the Board, held July 6th, 1869, Dr. G. W. Blacknall was appointed a special agent of the board to visit as many penal and charitable institutions as was practicable, and report to the board with such recommendations as he deemed necessary. He made an interesting report which you will find appended to this report, No. VI.

You will also find appended to my report the following papers:

VII. Report of Penitentiary.

VIII. List of officers N. C. Asylum for the Insane.

IX. List of officers N. C. Institution for the Deaf and Dumb and the Blind.

The expenses of the board have been up to this time, as follows:

For postage,	\$ 8 50
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For printing,	12 50
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The stationery used has been furnished by the Secretary of State.

On the 1st of November, I addressed a circular to the Chairman of the Board of County Commissioners of each county in the State, requesting them to report to this board the number of insane and idiotic persons in prisons, poorhouses and private families in their respective counties. The returns received so far, you will find appended to this report, marked No. X.

It will also become my duty during the coming year, in accordance with a resolution of the board, adopted September 16th, 1869, to address the annual convocations of the different religious denominations in the State, asking them to urge upon the ministers the duty of visiting the criminals and paupers in their respective counties, to look after their spiritual interests. I shall perform this duty cheerfully, feeling the spirit of the resolution will meet with a hearty response from the Ministers of the Gospel in the State, of all denominations.

After learning the onerous and responsible duties which would devolve upon me, I accepted the position of Secretary of your board with some hesitancy; fearing that the varied cares and duties incident to the office I hold as Principal of the Institution for the Deaf and Dumb and the Blind would prevent me from devoting as much attention to this important work as would be necessary.

I have done the best I could under the circumstances, and if the facts developed will awaken an increased interest among our people in providing for properly taking care of the afflicted, the poor and the criminals, I shall feel that I have been amply repaid.

In conclusion, permit me to express the hope, that during the coming year, steps may be taken in connection with the census returns to ascertain the number of afflicted in our State, so that in the language of the law, defining the duties of the Board of Public Charities, you may "be able to afford the General Assembly data to guide them in future legislation for the amelioration of the condition of the people, as well as to contribute to enlighten public opinion and direct it to interests so vital to the prosperity of the State."

Respectfully submitted,

W. J. PALMER,

Secretary.

NO. I.

GENERAL REPORT OF THE CONDITION OF THE
PRISONS AND POORHOUSES OF THE STATE.

ALAMANCE COUNTY.

POORHOUSE.

Located one and a half miles from the county seat. One building used by Superintendent and family, five wooden buildings for patients, one room each. The house used by Superintendent has three rooms. The size of rooms used by patients 18x20 feet. Water furnished from well. Daily allowance of food not specified. Location high and healthy. Sixty-five acres of land—not very good. Forty acres in cultivation. Corn, wheat, oats, Irish and sweet potatoes, cabbage, turnips, &c., raised. Ashes and manure used for improving the land. The overseer is Mr. James Morse. His salary is a hundred dollars a year and board of his family. The attending physician is Dr. J. S. Murphy. He receives \$1 per visit for his service.

PRISON.

The building is of brick. Size 20x40 feet, two stories high, containing two rooms and two cells. Size of rooms 18x20, cells, 12x12. Each room and cell contains one window 3x6 feet. The arrangement for heating in winter is a furnace in passage with flues leading to cells and rooms; four blankets allowed each prisoner. The males occupy the upper and the females the lower story of the prison. No specified allowance

of food. The prison is kept clean by washing, &c.; the excrement is deposited in buckets and carried out.

ALEXANDER COUNTY.

POORHOUSE.

Located three miles from county seat. Consists of one house 35x18, having two rooms 17x12, and one 15x20 with an L 10x14 of wood. Water supplied from spring. Heated by fireplaces. No restriction in food. The average weekly cost of each inmate is from \$1.25 to \$1.50. The buildings are pretty well arranged and in good repair. Ninety acres of land belong to the poorhouse tract; four or five are in cultivation on which are raised grain and vegetables used by the keeper. The poorhouse is kept at present under the supervision of the administrator of Solomou Icehour, the late keeper. His salary is four dollars per month for each inmate, with use of house, land, &c. Dr. John M. Carson, physician. Pay for services fixed by County Commissioners.

PRISON.

The building is of brick. Size 35x20 feet. It is two stories high and has three rooms and an iron cage. Iron cage 9x9—room which it is in 15x18. The other two rooms are 10x12. Two windows in the large room, one in each of the others. Size 1½ and 3½ feet. Fireplace in each room. A sufficient amount of bedding is allowed the prisoners to keep them comfortable. Males and females are confined separate. Fresh drinking water furnished as often as needed. The prisoners have a plenty of good and wholesome food to eat. The same means that are used in keeping an ordinary dwelling house clean, are made use of in the prison. Excrement removed by hand.

ANSON COUNTY.

POORHOUSE.

Located two miles from the county seat. There are four framed buildings 16x30, each containing two rooms. Water furnished by hand. The buildings heated by fireplaces. The patients are not limited in their eating. The buildings are tolerably well arranged and in fair condition. There are 225 acres of poor land connected with it—14 acres in cultivation. Cotton and corn raised on the land and given to the Superintendent. Cabbage, beans, peas, onions and squashes raised for summer and winter use. Ashes and manure used in improving the land. The keeper is Mr. Wm. H. Patrick. He receives for his services, board of himself and family and the use of land around the poor-house. No regular physician.

PRISON.

Consumed by fire on the 2nd of April, 1868; not yet rebuilt.

BEAUFORT COUNTY.

POORHOUSE.

Located one and a half miles from county seat. Two buildings used for paupers, besides superintendent's house, kitchen and smoke house. Nine rooms in main building besides basement, 2 in each of the others. Water furnished from well. The buildings heated in winter by fire-places. One-half pound of pork, $1\frac{1}{2}$ pounds of meal daily, and $1\frac{1}{2}$ pints of molasses per week is allowed to each inmate. The average weekly cost of maintenance is one dollar and twenty

cents each. Location is comparatively high and healthy—building “considerably delapidated, but partially repaired.” Eight acres of good clay land belong to the poorhouse tract, of which about six are in cultivation. Garden planted in corn and pease, but poor prospects. All varieties of vegetables are raised. Ashes and manure applied to the improvement of the land. The overseer is Mr. D. B. Elliot. His salary is \$10.00 per month. The physician is Dr. W. A. Blount, who receives \$2 for each visit.

PRISON.

The building is of brick, 41 feet 3 inches long by 38 feet 9 inches wide. The front part of prison consisting of four rooms is used by the jailor. The building is two stories high and has four cells below and two rooms above. One of the rooms is 13 feet 6 in. x 17 feet 6 in., the other 12 feet x 17 feet 6 inches. The cells are all 10 x 12. Two windows in each of the rooms above, 3 feet x 18 inches—no windows in cells. An air pipe running through the top of the house ventilates it. One good stove in the passage below does the heating during winter. One blanket is allowed each prisoner. The south end of the upper story is for females, the other rooms, including the cells, for the males. Cool drinking water furnished the prisoners as often as necessary. One and one half pounds of corn meal with pork, fish, potatoes, cabbage and other vegetables furnished the prisoners daily. The jail rooms are scoured often and plenty of lime used in every room and passage, and all the rooms and cells are whitewashed. “The excrement is all taken to the rear, put in pits with lime, fixed right for manure, and at different times carried off to farms.”

BERTIE COUNTY.

POORHOUSE.

It is located two miles from the county seat. The buildings on the premises are as follows: two buildings 18 x 72, one story high; 1 building 32 x 18, 1½ stories high; 1 building 16 x 16, one story high, and one smokehouse 12 x 12. In the first two buildings are 8 rooms, 3 in the next, and one in the next; 12 in all. Water is furnished by a well on the premises. The buildings are heated by fire places. Each inmate has an average of 1½ pounds of meat and one and three-fourth pounds of bread allowed him daily. One dollar and ten cents is the average weekly cost of maintenance of each inmate. The arrangement is good. The houses are good, framed buildings, but not plastered, they need but very little repairs. There are eighty acres of land belonging to the poorhouse tract; all but about two acres wood land—poor. One acre in cultivation. Nothing is raised on it but vegetables for the inmates. The ashes and manure used on garden. The keeper is F. W. Bell, who receives a salary of two hundred dollars per year. Dr. Francis Gilliam is the physician. Salary one hundred dollars a year.

PRISON.

The county prison is built of wood. Size of the building 25 x 35; two stories high, containing two rooms for keeper and two cells for prisoners. Size of rooms and cells 15 x 35. Eight good sized windows in keeper's rooms; 4 windows in the others. No arrangements for heating the building, consequently no way to prevent suffering from cold but by blankets. Each prisoner has two blankets furnished him. The lower room is occupied by the male, the upper one by the female prisoners. Cool drinking water furnished three times per day.

One pound of meat and one pound of bread is the daily allowance of food. The prison is kept clean by scouring. The excrement is taken out daily and buried.

BLADEN COUNTY.

POORHOUSE,

Located 2 miles from county seat, consists of 4 small wooden buildings which have, some of them, 2 rooms and some 1 room each. Water is procured from springs. Fire places are used for heating; $1\frac{1}{2}$ pounds of pork and a quart of meal is the daily allowance of food. Average weekly cost of each inmate \$1. The premises are not well arranged and are rather dilapidated. 1300 acres of medium quality land belong to the poorhouse tract; 100 acres are in cultivation; corn, peas, potatoes, cabbage, &c., raised and used in supporting paupers. Jesse J. Croom, overseer; salary \$500 for 1869. Dr. A. K. McDonald physician; no salary prescribed him.

PRISON

Is built of wood and iron, and is 36x42 feet. It is 2 stories high and has 5 rooms and cells 16x18 feet; 2 windows in each room 2x3 feet. No arrangement for heating in winter, and "it may be possible and probable" that the prisoners suffer from cold, 2 blankets allowed each prisoner. Males and females are confined separate. Fresh drinking water furnished twice a day. One pound of flesh and 1 pound of bread is the daily allowance of each. The excrement is carried off in vessels.

BRUNSWICK COUNTY.

POORHOUSE.

No poorhouse, but paupers are assisted by the county.

PRISON.

Is built of wood and is 35 x 25 feet. It is $2\frac{1}{2}$ stories high and has 4 rooms for prisoners, three of which are 10 x 25 feet, the other the full size of the building. The windows are 14 inches square and there are three in each room. Only one of the rooms is heated during the winter, though very little complaint has been made of the cold. Each prisoner is allowed two blankets. No female prisoners. Fresh drinking water is furnished twice per day and oftener. One pound of meat and one pound of bread is the daily allowance of food. All available means are used to preserve the cleanliness of the prison. The excrement is buried in the jail yard.

BURKE COUNTY.

POORHOUSE.

Located four miles from the County seat. One building 50 x 18 feet built of wooden logs, partition in the centre, three rooms in each end. A supply of water is procured from a spring about 40 yards from the house. The building is heated by fire places. As much of ordinary food as is usually used is allowed to the inmates. \$1 90 is the average weekly cost of maintenance of each inmate. The building is in a very dilapidated condition. One hundred acres of poor land belong to the poor house tract, of which twenty are in cultivation. Wheat, oats, corn and the usual garden vegetables are raised. Peas, beans, corn, potatoes and cabbage, are raised for winter consumption. The ashes and manure are used in improving the lands. Mr. H. Calvin Snipes is the overseer, and his salary is seventy three dollars per annum. Christopher Happold, M. D., is Physician. He gets no pay for his services.

PRISON.

No report.

CAMDEN COUNTY.

POORHOUSE.

Located three miles from the county seat. There are four buildings 16x24 with shed and piazza—built of wood. Five rooms each in two of the buildings, and one apiece in the others. The supply of water is from spring. The buildings are heated by fire places. The daily average of food to each inmate is half pound meat, half pound bread, flour, molasses, coffee and tea. \$4.00 is the average weekly cost of maintenance of each. The premises are not so well located or arranged as is desirable, but the buildings are in tolerably good repair. About fifty acres belong to the poorhouse tract, of which about two acres are in cultivation. All that is raised is small patches of potatoes and vegetables, the cultivation of which is done by the inmates. Potatoes and coleworts are raised for winter. The ashes and manures are used on the land. The overseer is Abner Aydlett. He gets for his services ten dollars per month. Dr. W. E. Pool is the attending physician. His charges are fixed by the State Medical Society.

PRISON.

The building is of brick and slate roof, and is thought to be fire-proof. Its size is 30x16 feet. It has two stories, one room and three cells, 14x16 feet. The windows, of which there are two in each room, are $2\frac{1}{2}$ x3 feet in size. The building is heated by means of stoves. Enough bedding is allowed the prisoners to keep them warm. There are no female prisoners. One pound of pork and one pound of bread is the daily allowance of food to each prisoner. The excrement is carried out in tubs and thrown away.

CASWELL COUNTY.

POORHOUSE.

Located one mile from the county seat, There are two buildings ; one 64x16 feet, single story, four rooms ; the other 120x16 feet, single story, eight rooms, material brick. The supply of water furnished from a well in the yard. The buildings are heated in winter by fire places. There is no allowance in food ; the inmates have as much as they wish. There is no estimate kept by which the average weekly cost of each inmate, can be approximated. The buildings are well arranged and are kept in good condition. The roof of the larger building needs repairs. There are three hundred and sixty acres of land connected with the poorhouse of which the quality is pretty good, light sandy soil. Sixty acres in cultivation. Corn, oats, wheat, hay and vegetables of nearly all kinds are raised for the use of the paupers. Potatoes, peas, beans, turnips, cabbage and various kinds of salads are raised for winter use. The ashes and manure are used in improving the land. It is contemplated to erect some additional buildings this Fall for the accommodation of colored persons. Mr. Levi C. Page, is the overseer. His salary is two hundred dollars per annum. No regular physician. When one is called in, he charges the ordinary fees for visits and medicine.

PRISON.

It is built of wood and is in size 29 feet square with a wing 18x16 feet. There is an entry or passage in front of the building 8 feet wide. The main building is 2 stories high ; the wing, 1. Two rooms below, 11x13 feet, one above 24x13, with an iron cage or cell 12 feet square. There are two windows in each room containing twelve glass apiece, besides which each room has a door. There are no arrangements for

heating in winter, but provision for it is in contemplation. The prisoners are not subjected to much suffering in cold weather; they have a sufficiency of covering to keep them warm. The lower apartment is occupied by females. No allowance or restriction in point of food. The rooms are cleansed daily and the excrement is thrown into a branch near by.

CATAWBA COUNTY.

POORHOUSE.

It is located six miles from the county seat, and consists of two double cabins, log wall, brick chimney in centre, ceiled overhead, 32x16 feet in size; one room and one window in each; one cabin 12x15, brick chimney, in end containing one room with one window. The supply of water is from a spring. The buildings are heated by fire places. There is no allowance in food, each one having as much as he wants; 84½ cents is the weekly average cost of maintenance of each. The buildings are tolerably well arranged but are now in a rather bad condition; they will however be repaired and improved soon. There are two hundred acres of poor land belonging to the poorhouse tract, of which eight acres are in cultivation. Corn, oats, cotton, sugar cane and some wheat are raised for the poor. Sweet and Irish potatoes and cabbage are raised for winter use. The ashes and manure are used in improving the land. Mr. Alfred Hoffman is the keeper. He receives for his services forty-four dollars per year for each inmate. Dr. W. H. Conner is the attending physician. He lives eight miles from the poorhouse, and receives fifty cents per mile for his visits.

PRISON.

It is built of brick and has wooden roof and windows size 42x22; two stories high and has four prison rooms, two of

which are 16 feet square, the other two, 10 feet square; two large windows in each room. The building is heated in winter by fire places in each room. A sufficient quantity of covering is allowed the prisoners to keep them warm. The males and females are kept in different rooms. There is no restriction in food. The filth is all taken out and thrown away daily.

CHATHAM COUNTY.

POORHOUSE.

Located three miles from the county seat, and consists of five buildings of logs weatherboarded, the sizes of which are as follows: One is 54x16; two, 36x16; one, 30x16 and one, 12x12; six rooms in one of the buildings, four in one, two in one, and two others with one room apiece. Water is gotten from spring. One-third pound of meat and one and a half pounds of meal is allowed the inmates daily, also coffee, flour, milk, butter and vegetables. The average weekly cost of the maintenance of each, exclusive of milk, butter and vegetables which are furnished at the place, is about one dollar and ten cents. The arrangement is not good; buildings in very fair condition and in good repair. There are about three hundred acres of poor land attached to the poorhouse, of which twenty-five acres, including meadows, are in cultivation. Corn, wheat, oats and potatoes are planted and the products used for the support of the inmates and the stock belonging to the place. Cabbage, snaps, Irish potatoes and turnips are raised for summer and winter consumption. Ashes and manure are used in improving the land. The overseer is Mr. R. B. Webster. His salary is \$240 per year. Dr. H. C. Jackson is the physician. He charges one dollar a visit.

PRISON.

Is built of brick and the rooms and cells are lined with wood and iron. Its size is 40x20 ; is two stories high and has four rooms and cells, the size of which is 16x16. Each room and cell has two windows, 2½x4 feet. The building is heated in winter by stoves. The males and females occupy different apartments. They have fresh water three times per day, and they are allowed as much as they want to eat. The jail is kept clean by sweeping and the excrement is carried out by hand.

CHEROKEE COUNTY.

POORHOUSE.

The poorhouse which is just completed is four miles from the county seat. It consists of one wooden building one story high and eighteen by thirty-six feet in size, which contains two rooms. Water is procured from a spring some distance from the house. The building is heated in winter by rock fire places. The average weekly cost of maintenance of each inmate is fifty cents. The premises are dilapidated and out of repair. Three hundred and thirty-three acres of land belong to the poorhouse tract—inferior quality. None in cultivation.

PRISON.

It is built of brick, and is fifty by thirty-three feet in size, having seven rooms and two cells for prisoners ; six of the rooms are sixteen by fourteen, one, thirty by sixteen ; two cells, seventeen by seven. There are two windows in each room. The building is warmed by a fire place in each room. Cool drinking water is furnished three times a day, and they have three meals a day of good wholesome food. The excrement is

carried off by means of a tin pipe leading from the different apartments.

CHOWAN COUNTY.

POORHOUSE.

It is situated eight and a quarter miles from the county seat. There are two buildings of wood, sixty by twenty feet in size, eight rooms in one and five in the other, for the use of paupers; also a dwelling for the keeper, and necessary out buildings. The supply of water is from a well in the yard. The rooms are warmed by fire places. The daily average of food allowed each inmate is one and a half pts. meal, half lb. of meat, one qt. of tea, &c; \$2 10 is the average weekly cost of the maintenance of each. The buildings are in a good situation, and are well arranged, but are out of repair. One hundred and forty acres of poor sandy land are connected with the poorhouse, of which twenty are in cultivation; corn, peas and potatoes are raised for the benefit of the keeper; coleworts and potatoes are raised for summer and winter use. The ashes and manure are used in improving the land. The keeper is Asberry J. Turner; his salary is \$150 per year and other extra expenses. Dr. Robert R. Winborn is physician; he receives for his services \$44 00 a year.

PRISON.

The prison is built of brick, and is forty by twenty feet in size. It has two stories and four rooms—no cells. The rooms on the lower floor are sixteen and a half by seventeen and a half; those on the upper floor, seventeen by seventeen and a half. The lower rooms have two windows in each, one window two and a half by two, the other three feet three inches by three feet six inches. Upper rooms have three windows in each, four by two feet nine inches in size. The building is

heated by means of stoves. In winter each prisoner has one mattress and four blankets, in summer, two blankets. The lower part of the prison is occupied by the males and the upper part by the females. They have fresh water three times per day. The daily allowance of food to each inmate is half lb. of bread, fish and tea in the morning, three-fourths lb. bread, meat and vegetables, half lb. bread and tea at night. To preserve the cleanliness of the prison, the floors are scoured when needed, the blankets washed every two months, prisoners' clothes washed every week, soap allowed regularly, spittoons kept in order, and walls whitewashed when needed. The excrement is carried off by means of pipes leading from the roof to sinks, and thence through sewers. Lime is used for cleansing.

CLAY COUNTY.

POORHOUSE.

There is no poorhouse in the county, the paupers being let out to the lowest bidder.

PRISON.

The prison is built of brick and timber, and is in size thirty by twenty feet. It has two stories and two prison rooms. The size of the rooms is about twelve by eighteen feet; two windows in each room—very small, without glass. No arrangement for heating in winter, except chimney of fireplace in adjacent room, and the prisoners are subjected to much suffering from cold. The excrement is carried out by jailor.

CLEVELAND COUNTY.

POORHOUSE.

The poorhouse, which has been in operation for the past

twenty years, is situated about three miles from the county seat, and consists of three houses—one for the overseer and two for the paupers. There are two rooms in each of the buildings, 20x21 feet in size. The supply of water is from a spring, The heating in winter is by fire places. There has never been any regular allowance of food. The location is a very good one, but the houses are in a very dilapidated condition. The poorhouse tract contains one hundred and fifty acres of very poor land, of which four acres are in cultivation; cotton was raised this year. Sweet and Irish potatoes are raised for summer and winter use. The houses for paupers are not well shaded. The ashes and manures have been used by the keepers to put on their own lands. Lewis Gardner is the overseer; he gets \$5.00 a month for each inmate. Dr. J. W. T. Miller is the physician; he receives for his services, one-third less than the regular fees.

PRISON.

The county prison is built of brick, and is 30x26 feet in size. It is three stories high, and has four cells for prisoners, including debtor's room; iron cage, &c. The iron cage is eight feet square and six feet high, the other part of the room 12x15 feet. The other rooms for prisoners, 15x10 and 15x7. There is one window in each room and cell, $4\frac{1}{2}$ x3 feet in size. There is no way of heating the prison except that of giving the prisoners, in cold weather, a heated rock. There have been some of the prisoners frost-bitten during extremely cold weather. Each prisoner has allowed him, a straw bed and three blankets. The males and females are confined in different apartments. They have fresh water as often as they want it, and just as much food as they wish. The excrement is removed from the prison, and tar is often burned in the cells to take away the offensive smell.

CRAVEN COUNTY.

POORHOUSE.

The poorhouse is situated one and a half miles from the county seat. There are four buildings. The main building has two stories and ten rooms, two others of them have a room each, and the fourth has two rooms. The supply of water is furnished from a well in the yard. The buildings are heated by a fireplace in each room. Each inmate is allowed as much to eat as he wishes. The average weekly cost of each pauper is \$3.00. The buildings are well arranged and in pretty fair condition. Fifty acres of good farming land belong to the poorhouse tract, of which twenty-five are in cultivation. Vegetables, corn and cotton are raised and are conceded to the overseer by the contract. Potatoes, coleworts, peas, beans, and garden vegetables are raised for summer and winter use. The houses are protected by shade trees. The ashes and manure are used to improve the land. The keeper is Richard S. Tucker, Esq. His pay is \$3.00 per month, for each inmate and the use of the farm. The attending physician is Dr. P. B. Rice. He receives \$2.00 per visit for his services.

[Since the above was written the poorhouse has been destroyed by fire. The inmates were all saved.]

PRISON.

The county prison is built of brick, with slate roof, and is in size, 55x52 feet, with two stories, a basement and an attic. There are four rooms and five cells. One room is 16x18 feet; one, 14½x18; one, 19½x19½; one, 19½x11. The five cells are 9x9 feet and have no windows except iron grating. The room 16x18 has two windows, room 14½x18 one window, room 19½x19½ three windows, room 19½x11 one window. Size of windows 3½x5½ feet. The means of ventilation are as

follows : four windows on roof, open attic, holes for ventilation through attic floor to each room on second floor. There are no arrangements for heating the cells, the rooms have fire places and stoves. All the bedding is furnished that the Sheriff thinks necessary. The males and females are confined separate. Fresh drinking water is furnished three times per day, and oftener if necessary. The prisoners are not restricted in the amount of food they eat. The prison is often inspected by the county physician, and the walls whitewashed and floors scoured by the prisoners, for the purpose of preserving cleanliness.

CUMBERLAND COUNTY.

POORHOUSE.

The poorhouse is situated seven miles from the county seat and consists of eight buildings. The main building is thirty-six by forty, containing six rooms ; there are six other buildings, two rooms each, eighteen by forty ; and one containing one room eighteen by twenty. The supply of water is from a well in the yard. The buildings are heated in winter by fire places. The daily allowances of food is one pound of meal, half pound of bacon and vegetables. The average weekly cost of each pauper is \$1.05. The premises are well and neatly arranged, good ventilation, &c., one hundred and fifty-six acres belonging to the poorhouse tract of poor sandy land, fifty acres of which are in cultivation. Corn and peas are raised and devoted to the support of the inmates. Coleworts, turnips and potatoes are raised for winter consumption. The houses of the paupers are well shaded by trees. The ashes and manure are used in improving the land. The overseer is Mr. M. N. Taylor, his salary is \$300, a year. Dr. K. A. Black, who lives seven miles from the poorhouse, is the physician. He receives \$1.00 per mile for his visits.

PRISON.

The county prison is built of brick and is 52x32 feet in size. It is 2 stories high and contains six rooms, four of which are 18x18 feet, and the remaining two, 12x12. The four large rooms have two windows each, $5\frac{1}{2} \times 2\frac{1}{2}$. In each of the small rooms there is one window 5x2. There are no arrangements for heating, but the prisoners are not subjected to much suffering from cold. From three to four blankets are allowed each prisoner. No females in confinement. Three times a day the prisoners have fresh water furnished them. The prisoners are not allowed, they have as much as they wish to eat. The jail is swept daily and scoured when necessary by the prisoners. The excrement is carried out daily in buckets.

DAVIDSON COUNTY.

POORHOUSE.

The poorhouse is located four miles from the county seat, and consist of large brick building 18x62, two wooden buildings 18x36, and one 18x20. The brick building contains four rooms, the wooden two each. Water is procured from a well in the yard. The daily allowance of meat is one third of a pound, no allowance in any thing else. The average weekly cost of the maintenance of each is \$1.00. The buildings are well arranged in a beautiful situation, and are in tolerably good condition. There are one hundred and fifty acres of moderately poor land, belonging to the poorhouse tract, of which forty acres are in cultivation. Corn and wheat are raised, half of the products of which goes to the overseer, as per contract, the balance to the inmates. Potatoes, cabbage and onions, &c., are raised for summer and winter consumption. The houses are to some extent shaded. The ashes and manure are devoted to the improvement of the land. W. G. Laflin, is the keeper.

his salary is \$200 per year. Dr. R. L. Payne is the physician. He receives \$75 per annum as his salary.

PRISON.

It is built of brick, wood and iron, and is 40 feet by 35, containing 2 stories with 5 rooms. The cells are 12x15 feet, the rooms are 20 feet square. The windows of the cells are about 1 foot square, those of the rooms 6x3 feet. There are wooden shutters to the windows besides the iron bars. There are no arrangements for heating the buildings in winter except one fireplace, and the prisoners suffer a good deal from cold. Each prisoner has furnished him one bed and from three to five blankets in winter. The males and females are confined separate. The prisoners have fresh drinking water furnished twice per day. The weekly allowance of food to each one is three pounds of meat, one peck of meal and different vegetables. The jail is swept once a day and scoured once a month. The excrement is carried out once a day and deposited in a sink about fifty yards from the prison.

DAVIE COUNTY.

POORHOUSE.

Is located two miles west of the county seat, and consists of five wooden buildings. The size is as follows: First building, eighteen by thirty-six feet, with two rooms; three others, small buildings, with one room each; the fifth contains three rooms and a loft. The supply of water is gotten from a spring near by. The buildings are heated by fireplaces. The paupers have as much food as they wish. The average weekly cost of each is about one dollar and fifty cents. The locality is a healthy one, but the buildings are getting old. Some repairs have been recently made. About one hundred and

twenty-five acres of medium quality land belong to the poor-house tract, of which thirty acres are in cultivation. Potatoes, cabbage, peas, beans, corn, wheat, &c., are raised and used for the support of the keeper and inmates. The buildings are shaded in a measure, by some fruit and other trees near the house. George W. Campbell, Esq., is the overseer. He gets six dollars per month for each inmate and the use of the farm. Drs. Martin and Bell are the physicians. They receive \$2 per visit for their services.

PRISON.

Is built of brick and is twenty by forty feet in size, containing two stories with two cells and two rooms; rooms, twelve by fifteen; cells, ten by twelve feet. The windows in the rooms are three feet by five, in the cells, two by two, with iron bars as an obstruction. Fireplaces and stoves are used for heating the building in winter. The prisoners have a bed, sheet, and two blankets each. Best rooms always given to females. Three pounds of solid food, with coffee and milk, is allowed each prisoner daily. The means of cleansing the jail are to scour it with soap and sand. The excrement is carried out in buckets.

DUPLIN COUNTY.

POORHOUSE.

Is situated about six miles from county seat and consists of four wooden buildings, sized respectively as follows: two buildings 40x18 feet; one, 50x18 feet; one, 20x18 feet. Three of the houses have two rooms each; the other, six rooms. The supply of water is gotten from wells on the premises. The buildings are heated by fireplaces in winter. The daily allowance of food is about five ounces of bacon or salted pork, with meal, molasses and potatoes, and vegetables in their

season. The average weekly cost of maintenance of each is about two dollars. The buildings are not in very good repair. About two hundred and seventy acres belong to the poorhouse tract, of which about seventy acres are in cultivation. Corn, potatoes, &c., are raised on the land, and the rent goes to the support of the paupers. Coleworts, turnips, squashes, sweet and Irish potatoes are raised for summer and winter consumption. The houses are sufficiently shaded. The ashes and manures are used in improving the land. Samuel B. Evans, Esq., is the overseer. He receives for his services \$4 35 per month for each pauper. Dr. James W. McGee is the physician. He charges \$1 50 per visit.

PRISON

The county prison is built of wood and iron, and is in size 24x30 feet. It contains one story and has four rooms for prisoners 10x12 feet in size. Two rooms have one window each, the other two have none, but have large grated doors opening on lighted passage. There is no means of heating the building, but the prisoners seldom complain of excessive cold. The prisoners have from two to three blankets each. Males and females are confined separate. Fresh drinking water is furnished three times daily. There is no allowance in food. The jail is frequently scoured and the excrement is all carried some distance from prison.

FORSYTHE COUNTY.

POORHOUSE.

It is located three miles from the county seat, and consists of two buildings of brick; one, 20x40 feet, and the other 20x60, four cabins, a barn, and a smokehouse. There are four rooms in one of the brick buildings and three in the other. The supply of water comes from a well and pump. The fireplaces in

the buildings are the only means of heating them. No restriction in food. The average weekly cost of each inmate is about \$1 50. The premises are well arranged but somewhat out of repair. Ninety acres of tolerably poor land belong to the poorhouse tract, sixteen of which are in cultivation. Corn, oats, potatoes and garden vegetables are raised and used for the support of the inmates. The buildings are well protected by shade trees. Ashes and manures used in improving the land. The overseer is Mr. R. L. Tally. His salary is \$100 per year. Dr. A. T. Zevely is the physician. He has no stated salary but gets paid according to the services rendered.

PRISON.

The county prison is built of brick and covered with tin, and is in size 30x40 feet. It contains two stories by a basement; four cells for prisoners. Size of cells 13x14 feet. The windows are 2 feet 7 inches, and 4 feet six inches. There is a stove for heating in winter. A straw bed and a blanket are furnished each prisoner. Males and females confined separate. Fresh drinking water is furnished three times per day. No restriction in food; the prisoners have as much as they will eat. The excrement is carried off by means of a pipe and sewer.

FRANKLIN COUNTY.

POORHOUSE.

It is situated six miles from the county seat, and consists of six buildings. There is one dwelling house, 32x18 with four rooms; one kitchen, 28x16; one house, 48x16 with four rooms, besides an old framed house, 32x16. The others are out-houses. They are all built of wood. The supply of water is from a well. The heating is done in winter by fireplaces. The inmates are not restricted in what they eat. The average

weekly cost of each inmate is \$1 42. The buildings are very well arranged ; some of them are good, the others need repair. Five hundred and seventy acres of poor land belong to the poorhouse tract, of which fifty-eight acres are in cultivation. Corn, potatoes, cotton, oats, peas, cabbage, turnips, &c., are raised. The buildings are situated in a beautiful grove. Ashes and manures used in improving the land. Henry Best, Esq., is the keeper. He gets \$75 a year for each adult and half that price for children. Dr. P. S. Foster is the physician. He receives the regular fees for his services.

PRISON.

The county prison is built of brick and is lined with thick oak planks. Its size is 24x44 feet. It is two stories high and has two rooms and two cells. Size of rooms, 15x20 ; of cells, 12x13. In each of these rooms there are two windows, 2½x4 feet, and in each cell, one, 12x18 inches. The windows in the two upper rooms are free to the air and sunlight, those in the cells are obstructed by the outer wall of the house. No means of heating the prison except stoves which are dangerous, as the prisoners have tried to burn through the floor and make their escape. The prisoners do not suffer much, however, with cold. Four blankets are allowed the prisoners, generally. Males and females are confined separate. The prisoners have more bread to eat than the law allows but not so much meat ; they also have plenty of vegetables. The jail is swept clean twice a day ; the excrement is thrown into the river near by.

GASTON COUNTY.

POORHOUSE.

The poorhouse is situated three miles from the county seat, and consists of five log houses 20x20 feet in size. There is one room in each house. Water is from a spring one hundred

and fifty yards from the poorhouse. The buildings are heated in winter by fire places. No restriction in point of food. The average cost of each pauper is about one dollar and twenty-five cents per week. The premises are not well arranged and are considerably in need of repair. Two hundred acres of medium quality land belong to the tract of the poorhouse, of which twenty-five are in cultivation. Corn and oats are raised for the benefit of the paupers. Wm. J. Lay, Esq., is the overseer. He receives for his services, sixty dollars for each inmate per year. Dr. E. B. Holland is the attending physician. He receives no stated sum for his services.

PRISON.

The county prison is built of stone, brick, iron and wood, and is is size 42x32 feet. There are two stories in the building and four rooms and cells, the size of which is 14x14 feet. Each room has a window four feet square. There are no arrangements for heating in winter, and consequently the prisoners are subjected to a great deal of cold. They have, however, a sufficiency of blankets. Fresh water furnished as often as necessary. No restriction in eating; the prisoners have as much as they want. The prison is kept clean by sweeping, washing and scouring. The excrement is carried out twice daily.

GATES COUNTY.

POORHOUSE.

The poor house is situated three-fourths of a mile from the county seat, and consists of two wooden buildings, 16x64 feet in size. There are four rooms in each building. Water is procured from a well. The buildings are heated by fire-places; no restriction upon the inmates, as regards eating. The average weekly cost of each one is \$1.50. The buildings are

somewhat out of repair, but comfortable. Seventy acres of medium quality land belong to the poorhouse tract, of which twenty-five are in cultivation; corn, peas, potatoes and cotton are raised and used for the benefit of the poorhouse; also cabbage, turnips, beets and all vegetables ordinarily raised in gardens. The ashes and manures are used in improving the land. The overseer is Mr. George W. Hayes; he receives for his services, \$6.00 per month for each adult, and \$4.00 for every child six years old and under, besides the use of the farm, &c. Dr. O. B. Savage is the physician; he charges a dollar a visit.

PRISON.

The county prison is built of brick and wood, size 30x18 feet. The building has two stories—two rooms and three cells. The size of the rooms is as follows: First room, 18x12 feet; second, 12x10; the cells are ten feet square, five windows below, four feet by two inches, and three above, two feet eight inches by two feet two inches. There are no arrangements for heating in winter, but there is not much suffering from cold. The prisoners have all the bedding and covering that is necessary. Males and females confined separate. Water is furnished as often as required; no specified amount of food; the prisoners eat as much as they want. The prison is kept clean by scouring and washing, the excrement being carried off by spouts.

GRANVILLE COUNTY.

POORHOUSE.

The poorhouse is situated one and a half miles from the county seat, and consists of four brick buildings and one wooden one. The size of the brick buildings is 36x18 and they contain two rooms each, and that of the wooden one 20x30 and it

has only one room. The supply of water is gotten from wells. The buildings are heated by fire places. No limitation in food. About two dollars per week is the average cost of each pauper. The premises are well arranged and in good condition. About five hundred and fifty acres of pretty fair land belong to the poorhouse tract. About one hundred acres are in cultivation. Corn, oats, peas, potatoes, beans, turnips, greens, &c., raised. The ashes and manure are used in improving the land. Solomon Howard, Esq., is the name of the overseer. His salary is \$250 per annum and board. The physicians who attend the inmates, are Drs. Young and Hicks. They have no stated salary and are very moderate in their charges.

PRISON.

The county prison is built of brick with tin roof. It is considered fire-proof on the out side. The size of the building is 32x46 feet. It has four cells for prisoners 9x15 feet. There is a window to each cell fronting upon a passage 5x2 $\frac{1}{2}$ feet, also iron lattice works 2 $\frac{1}{2}$ x2 $\frac{1}{2}$ feet in each cell. The prison is heated by stoves in the passage. There is no specified amount of covering, each one having as much as he needs. Male and female, white and colored are confined separately. Fresh drinking water is furnished from three to four times daily. No allowance in food, they have a sufficient quantity. The excrement is removed daily from the prison and the bad odor is kept down by means of lime and white washing.

GREEN COUNTY.

POORHOUSE.

It is two miles from the county seat and consists of three buildings one of which is for paupers and the other two for keeper. The size of the paupers' house is 16x32 and it has two

rooms, the other two have one apiece. The supply of water is from a well. To heat the building in winter, fire places are used. About two pounds of food is allowed each inmate per day. The average weekly cost of the maintenance of each is twenty-five or thirty cents. The buildings are only ordinary and the furnishing of them is very inferior, one hundred acres of pretty fair land belong to the poor house tract, of which about twenty-five are in cultivation. Corn peas, potatoes, cabbage, beans, turnips, &c., raised and devoted to the inmates. Ashes and manure are used in improving the land. Mr. Seth Watson is the overseer. His salary is a hundred and fifty dollars per year. Dr. Hughes is the physician ; he has no stated salary.

PRISON.

No report.

GUILFORD COUNTY.

POORHOUSE.

Located three miles from the county seat. The principal building is 50x36, with eight rooms, 18x18 feet—passage above and below. There are two wings to the building, 48x34, with four rooms each. House built of brick. Supply of water from well. The heating in winter is done by fire places. The daily allowance of food to each pauper is one-fourth pound of meat, two pounds of bread, coffee and molasses. One dollar and fifty cents is the average weekly cost of each inmate. The buildings are well arranged and in a healthful location ; they are also fire-proof. The poorhouse land is as poor as poverty ; fifty acres are in cultivation. Corn, rye, oats, sugar cane, cabbage, potatoes, &c., are raised. The punishment of a slight whipping has been inflicted by superintendent for the following crimes : Stealing, selling rations, fighting and quarreling. James R. Williams is overseer and physician. Salary three hundred and twenty-five dollars a year.

PRISON.

Built of logs, and is 41x28 feet in size. It is two stories high and has seven rooms, six of which are 12x14, the other, 27x14; four windows in the largest room, two in two of the others and one each in the rest; size of the windows, 4x2½ feet. The building is heated by furnace and stove. A sufficiency of covering allowed the prisoners. No female prisoners. Fresh water furnished twice a day. No restriction in eating. Excrement is removed once a day by hand.

HALIFAX COUNTY.

POORHOUSE.

The poorhouse is situated three miles from the county seat and consists of six buildings containing one room each, 16x18 feet in size. A supply of water is gotten from a well conveniently situated. Fire places are used for heating in winter. The weekly allowance of food is two pounds of bacon, fish, molasses, vegetables and bread without stint. The average weekly cost of each inmate is one dollar. The superintendent's house is in good repair, the others are not all in good condition. The arrangement is not good. There are one hundred and ninety-six acres of very poor sandy soil connected with the poorhouse tract, of which sixty are in cultivation. Corn, peas, potatoes and vegetables are raised and used for the support of inmates. The ashes and manures are used in improving the land. The name of the keeper of the poorhouse is William Wade Carter. His salary is three hundred dollars per annum and board for himself and family. A. D. Pierce, M. D., is the physician. He charges two dollars per visit.

PRISON.

The prison is built of brick and lined with white oak posts. Its size is 30x30 feet. There are two stories in the building. The room below has two cages built of iron bars in the middle of the room separated from the walls of the jail by a passage three feet wide on three sides and six feet on one side. The upper story is divided into two rooms with a passage eight feet wide in front. The cages are 16x19½ feet in size; the upper rooms 14½x12¾ feet. The size of windows in lower story are 4x2 feet 2 inches; those in the upper story are 3x1¾ feet. No arrangements for heating building in winter. The prisoners are not subject to much cold, being well provided with blankets. Males and females are confined separate. Fresh drinking water is furnished twice a day. About half a pound of meat, vegetables and bread without limit is furnished them daily. The floors are swept and scoured when deemed necessary by the jailor. The excrement is carried out daily!

HAYWOOD COUNTY.

POORHOUSE.

The poorhouse is located seven miles from the county seat, and consists of one building 40x18 feet, of wood. There are four rooms in the building. The supply of water is from a spring and branch. The heating is managed by means of a stove and two fire places. No restriction in food. The average weekly cost of each inmate is three dollars and fifty cents. The premises are well arranged, but in a rather dilapidated condition. One hundred and ninety-eight acres and a half of broken land belong to the poorhouse tract, of which fifteen acres are in cultivation. Corn, wheat, rye, oats, potatoes, cabbage and other vegetables are raised. The ashes and manures are used in improving the land. Mr. W. L. Moody

is the overseer ; he receives fifty cents for his services. No regular physician.

PRISON.

No county prison, it having been burnt by the Federal army in 1865. There is one being built at present.

HENDERSON COUNTY.

POORHOUSE.

There is no poorhouse, but the County Commissioners have rented two small houses in the county seat in which to take care of the poor. The size of the buildings are 18x14 feet, and there are two rooms in each of them. The supply of water is from a well in the yard. The buildings are heated by fire places. No limitation in eating. The average weekly cost of each inmate is about one dollar and seventy-five cents. The buildings are badly arranged—neat enough but not furnished—cold and uncomfortable—will do well enough for summer. The situation is healthy. Ferrell W. Taylor, Esq., is the overseer. He receives for his services eight dollars per month for each inmate. W. D. Whitted, M. D., is the physician who attends the inmates ; he receives therefor the regular pay of physicians.

PRISON.

The county prison is built of stone and wood and is two stories high, being 40x20 feet in size. There are four rooms, of which the size is as follows : One dungeon, 18x15 feet ; debtors' room, 15x12 feet ; one room, 15x8 $\frac{3}{4}$ feet ; one room, 9x8 $\frac{3}{4}$ feet. The dungeon has two windows ; the three other rooms have one window each, besides which two of them have gratings facing a passage. There are no arrangements for

heating in winter, in consequence of which the prisoners are subjected to a great deal of suffering from cold. The amount of bedding furnished each prisoner is one straw bed and two blankets. The males and females are confined separate, the best rooms being reserved for the females. Fresh drinking water is furnished three times per day, and as regards eating there is no limitation. The prison is swept every morning and scoured when necessary.

HYDE COUNTY.

POORHOUSE.

The poorhouse is located one mile from county seat and consists of three buildings, the size of one of which is 30x40 feet; of another, 30x16 and of the other, 24x16. There are eight rooms in the larger building and two in each of the others. The supply of water is obtained from two good wells. The buildings are heated by fire places. There is no special allowance in food. The premises are in moderate repair. Fifty acres of land (savannah) belong to the poorhouse tract—none in cultivation. Cabbage, beans, &c., raised to help support the inmates. David Jarvis, Esq., is the overseer. His salary is one hundred and fifty dollars per annum. Dr. Stephen P. Sparrow is the regular physician. He lives twelve miles from the poorhouse, and receives four dollars for each visit.

PRISON.

The county prison is built of brick and timber and is thirty feet square, containing two stories. There are four rooms fourteen feet square, with two windows in each, 2x4 feet. There is a stove in each cell; two blankets are allowed to each prisoner. Males and females confined separate. The

means of cleansing are lime, water, broom, &c. "Excrement returned to its motherdust."

IREDELL COUNTY.

POORHOUSE.

The poorhouse is situated five miles from the county seat and consists of three log houses, 32x16, containing two rooms each. There is a window and a fire place in each room. Water is supplied by a spring sixty or seventy yards distant. There is no specified allowance of food. The premises are very well arranged and in tolerably good repair. Buildings protected as much as necessary by shade trees. "Paupers need sunshine." Two hundred and twenty-five acres of land belong to the poorhouse tract, of which about fifty are in cultivation. Corn, oats, wheat, potatoes, cabbage, turnips, &c., raised for the support of the inmates. The ashes and manure are used in improving the land. Mr. Owen Plyler is the overseer. His salary is \$180 per year. Dr. Thos. Beatty is the physician. He receives for his services \$2 per visit.

PRISON.

The county prison is built of brick, stone, iron and wood, and is fire proof. The size of the building is 24x36 feet. It is two stories high, and has four rooms and cells, the size of which is 11x11 feet. There are two windows in the passage, from which the light enters the rooms by means of open iron doors. Besides these, there is one in each room 3x2½ feet in size. There are no arrangements for heating in winter, but still the prisoners are not subjected to much suffering from cold, as they have as many blankets as are necessary for their comfort. No females in prison. Water is furnished from two to three times per day. The daily allowance of food to each is one pound of meat, one pound of bread, and vegetables.

The rooms are cleaned and scoured as often as necessary, the excrement carried out twice per day.

JACKSON COUNTY.

POORHOUSE.

No poorhouse.

PRISON.

The prison is built of brick, having wooden roof, floors, &c., It is, in size, 32x45 feet. There are two stories and three rooms. One room is 32x18 feet, the other two, 18x16. There are two windows to each room, 5 feet 10 inches by 3 feet. Two fireplaces in one room and one in each of the others. The prisoners are kept tolerably comfortable, having a mattress and three blankets apiece. The males and females are confined separate. Fresh drinking water is furnished three times per day. The daily allowance of food is one and a fourth pounds of bread and the same amount of meat, with vegetables and coffee. The prison is kept clean by sweeping, the excrement being carried out daily.

LENOIR COUNTY.

POORHOUSE.

The poorhouse is situated about seven miles from the county seat, and consists of three buildings, the size of two of which is 18x36; the other is 33x40. The supply of water is furnished by a well. Heated by fireplaces in winter. The daily allowance of food to each inmate is half pound of meat, one and a half quarts of meal, vegetables and molasses. The average weekly cost of each inmate is \$1 75. The premises are well arranged, but in a considerably dilapidated condition.

One hundred and twenty-five acres of poor piney-woods land belong to the poorhouse tract, of which only one acre is in cultivation. Nothing is raised except a few vegetables, which are used in summer. Mr. Jesse Jackson is the overseer. His pay is \$7 per month for each inmate. Physicians are employed only in extreme cases, and they receive, when so called in, the regular fees which are paid them elsewhere.

PRISON.

Is built of brick, with lining of square sills 12x12 inches on the inside of the cells. It is fire-proof from the outside. Size of building, 30x21. There are two stories in it, and four rooms or cells besides the passage. The size of cells is 10x12 feet. There are three windows in each cell one foot square. Stoves are used for heating purposes in winter. Five blankets are furnished each prisoner. Males and females are confined separate. Fresh drinking water is furnished twice daily and oftener if necessary. Three-quarters of a pound of bacon, one and a quarter pounds of bread or meal daily, a quart of molasses weekly, and sometimes peas and greens are furnished the prisoners. The prison is kept clean by scouring once a month, the excrement being carried out daily.

LINCOLN COUNTY.

POORHOUSE.

The poorhouse is situated four miles from the county seat and consists of three wooden buildings, each containing two rooms. The size of the buildings is 40x18 feet. Water is gotten from a well and spring. Heated in winter by fire-places. Ten dollars is allowed to be expended every month for each inmate. The buildings at present are in bad condition and are very much out of repair; the commissioners, however, are having better ones erected. The old site has one

hundred and fifty acres of very poor land connected with it, the new one, one hundred and ninety-two acres of the very best. None of the land at present in cultivation. David Fisher, Esq., is the overseer. He receives ten dollars per month for each inmate. Dr. E. Caldwell is the physician. He is paid according to his services.

PRISON.

The county prison is built of brick and wood, and is 30x35 feet in size, containing two stories and two cells. The size of cells is 10x25 feet. There are two windows in each cell, 3x5 feet. The rooms are heated by fire places. No particular amount of covering allowed the prisoners. There are no female prisoners. Fresh water furnished twice a day. There is no restriction in food. For preserving the cleanliness of the prison it is often scoured and the excrement thrown away.

MARTIN COUNTY.

POORHOUSE.

The poorhouse is situated three miles from county seat. There are on the premises three buildings, 18x36 feet in size, containing two rooms each. There are ladders and hooks on the premises in case of a fire. Water is gotten from a well, and heating is done by means of fire places. No specified amount of food is allowed the inmates; four dollars per week is the average cost of maintenance of each, including all the expenses except doctor's bills. The buildings are very well arranged and in tolerable good condition. Two hundred and twenty-five acres of ordinary land are connected with the poorhouse, of which fifteen are in cultivation. Corn, peas, potatoes, coleworts, beans, &c., raised and used for the support of the inmates. The ashes and manures are used in improving the land. John N. Griffin, Esq., is the overseer. His salary is one hundred and forty dollars per year. Thos.

C. Pugh, M. D., is the physician. He receives two dollars and fifty cents for each visit.

PRISON.

The county prison is built of wood, and is in size 24x36 feet, containing two stories and four rooms; two of the rooms are 14x16 feet; the other two, 17x22. There is one window in each room below, 30x14 inches; four in each of the rooms above, 2x6 feet. There are fire places in the rooms above, but none in those below. A sufficient quantity of bedding is allowed the prisoners to keep them comfortable. The males and females are confined separate. During warm weather fresh drinking water is furnished three times per day. No limitation in point of food. The rooms are kept in good order by cleaning out. Buckets with lids fitting closely are used by the prisoners to deposit their excrement in, which are emptied twice a day and washed out.

McDOWELL COUNTY.

POORHOUSE.

The poorhouse is situated two miles from the county seat. The buildings on the premises are as follows: one hewn log house 18x18 feet; one 32-16; and one framed house 30x16. There are two rooms in one of the log houses and one in the other; the framed house has two rooms. Water is gotten from a spring. The buildings are heated in winter by a large fire place in each room. The inmates are well fed. They cost the county seventy-five dollars each per year. The buildings are in good repair. Fifty-seven and a half acres of common hill and branch land belonging to the poorhouse tract, of which ten are in cultivation. Corn, vegetables, &c. are raised and used for the poorhouse. The houses are not protected from the sun by shade trees. Ashes and manures used in improv-

ing the land. Mr. John L. Pool, is the overseer. He receives as pay, seventy-five dollars for each inmate yearly. No regular physician.

PRISON.

The prison is built of brick. Its size is 40x26 feet. It is two stories high and has three rooms. The cage is 14x26, the other two, 13x14; four windows in each room 3x6 feet. Each room has a fire place for heating in winter, two blankets each are furnished the prisoners. Males and females confined separate. Fresh drinking water is furnished three times per day. The daily allowance is one pound of meat and one of bread. The excrement is carried off daily.

MECKLENBURG COUNTY.

POORHOUSE.

The poorhouse is situated three miles from the county seat and consists of the following buildings: one brick building, 20x100 feet, one story high and containing six rooms; one framed house, 20x40 feet, having two rooms; corn-crib, cook-house, etc. Water is procured from a spring. The buildings are heated by a fire place in each room. No limitation in food, every one having as much as he wants. The average weekly cost of each inmate is about fifty cents. The premises are well arranged and neatly kept, but somewhat out of repair. About one hundred and forty acres of poor land belong to the poorhouse tract, of which forty-five acres are in cultivation. Corn, wheat, oats, cabbage, potatoes, turnips, &c., are raised and devoted to the use of the poorhouse. Ashes and manures are applied to improving the land. Mr. A. F. Gondles is the overseer. His salary is two hundred and seventy-five dollars per annum. Dr. L. G. Jones is the physician. He receives one dollar and fifty cents per visit.

PRISON.

The prison is built of brick, and is fifty by forty feet in size. There are three stories and seven rooms and cells for prisoners; eight feet by twelve. There are two windows each to two of the rooms, and one apiece to the others; size of windows, two and a half by four feet. There are no means for heating the prison, but the prisoners do not suffer much from cold. They have a sufficiency of bedding and covering to keep them comfortable. Males and females are confined separate. Fresh drinking water is furnished three times per day, and there is no restriction in food, each one having as much as he wishes. To preserve cleanliness in the prison, washing and scouring are resorted to. The excrement passes through sewer.

MONTGOMERY COUNTY.

POORHOUSE.

The poorhouse consists of four buildings sixteen by thirty-two feet in size. Two rooms in each building, which are heated by fire places. Water is gotten from a well. The average weekly cost of each inmate is one dollar and fifty cents. The condition of the premises is good, the houses being new. Fifty acres of poor land belong to the poorhouse, of which one and a half acres are in cultivation. Vegetables and potatoes are raised and used by the inmates. Ashes and manures used to improve the land. Mr. Malcom A. Monroe is overseer. He receives for his servis seventy-two dollars per annum for each inmate. No regular physician.

PRISON.

The prison is built of wood and is fifty by twenty-five feet. It has two stories, two cells and two rooms. The size of cells nine by five, size of rooms ten by ten feet. The windows are two feet by two. The arrangement for heating the building

is a fireplace, and in the cells the prisoners are subject to a great deal of cold. A sufficient amount of bedding and covering is allowed the prisoners to keep them comfortable. Fresh drinking water is furnished three times per day. No special means are used to keep the prison clean.

MOORE COUNTY.

POORHOUSE.

The poorhouse is one mile from the county seat, and consists of three wooden houses, 32x18 feet in size. There are two rooms in each house. Water is obtained from a spring. Heated by fire places. One pound of bread and one-half pound of meat with vegetables is the daily allowance of food. The average weekly cost of each inmate is \$1.50. The arrangement is very good and two of the buildings are in good condition, the other is somewhat dilapidated. There are over one hundred acres of mostly sandy soil belonging to the poorhouse tract, of which fifteen are in cultivation. Corn, peas, potatoes, turnips, beans and almost all other vegetables are raised and used by the keeper and paupers. Ashes and manures used in improving the land. Mr. Lemuel W. Muse is the overseer. He receives \$6.50 for each inmate in his charge per month. Dr. John Shaw is the physician: he is paid according to the services rendered.

PRISON.

The prison is built of brick and is in size 50x30 feet. There are two stories in the prison—two rooms below—three cells above. The rooms are 20x15 feet; cells, 12x12; four windows to each room, 3x5; three windows apiece to two of the cells, 18x24 inches, and two to the other; one of them 3x4, the other 18x24 inches. There being no means of heating the building in winter the prisoners are subjected to considerable suffering from cold. Three to four blankets are furnished to

each prisoner. Males and females are confined separate. Fresh drinking water is furnished twice per day, and in eating there is no restriction. The excrement is carried out daily.

NASH COUNTY.

POORHOUSE.

It is situated three miles from the county seat and consists of seven houses built of wood 18x20 feet. One room in each building. Water is obtained from a well in the yard. Fire places are used for heating. The daily allowance of bacon is one-third pound, there being no restriction in other food. The average weekly cost of each inmate is one dollar. The buildings are not very well arranged but in tolerably good condition. About three hundred acres of land belong to the poor-house tract, of which forty acres are in cultivation. Corn, peas, potatoes and vegetables are raised and are used in supporting the inmates. Ashes and manures are used in improving land. William W. Wheless is the overseer. His salary is two hundred and fifty dollars per annum. Dr. T. H. Scott attends the inmates and is paid according to the services rendered.

PRISON.

The county prison is built of wood and is 30 feet square. It has two stories and four rooms, the size of which is 12x12 feet. There are two windows in one room, 3x4½ feet; one in another of the rooms 3x4½ feet; and one in each of the others 2x4 feet. There are no means of heating the building, in consequence of which there is much suffering among the prisoners from cold. As much covering as is thought to be necessary by the jailor is given each prisoner. Fresh drinking water is furnished twice a day. There is no restriction in eating, the prisoners having as much as they want. Excrement removed twice a day.

NEW HANOVER COUNTY.

POORHOUSE.

The poorhouse is two miles from county seat and consists of the following buildings: One house 110 feet long, 16 feet wide, containing ten rooms; two buildings, 30x10, two rooms each, and two 15x10, with one room apiece. A supply of water is furnished by springs and a well. There are fire places in all the rooms. There is no allowance in food—they have as much as they will eat. The average weekly cost of each inmate is \$2.10. The premises are well arranged and in tolerably good condition. "Two or three hundred acres of land" belong to the poorhouse tract, of which fifty are in cultivation. Sweet potatoes, coleworts, onions, &c., are raised for use of the inmates. Ashes and manures used in improving the land. Mr. H. E. Scott is the overseer. He receives 30 cents per day for each inmate. Dr. J. E. Winants is the physician. He receives \$800 per year for attending poorhouse, workhouse and jail.

PRISON.

It is built of wood, iron, brick and stone. Several fire engines in the vicinity of the prison which would be on hand in case of fire. The size of the building is sixty feet by forty-eight, minus fourteen feet off in front for jailer's dwelling. It has three stories and twenty-four rooms and cells, eight of the cells in basement are too damp to confine any one in. The construction of the prison renders it impossible to have windows in the cells, but the iron grate doors face the outer wall of the jail, thus giving good light. On the first story there are eleven windows, second ten and third thirteen—size six by three feet. Two of the rooms are seventeen feet five inches by ten feet eight inches, the others are nine feet eight inches and ten feet by ten feet five inches. The arrangements for

heating are insufficient, being fire places in two of the rooms and place for stove in other part of jail. One mattress and two blankets are furnished each prisoner. Males and females confined separate. There is a pump in each story of the jail. One pound of bread, one of meat and vegetables and rice is the daily allowance of food. To preserve cleanliness the prison is scoured and plentifully supplied with disinfectants. Excrement is carried off by means of a drain through which a stream of water runs from a spring.

NORTHAMPTON COUNTY.

POORHOUSE.

The poorhouse is situated two miles from the county seat, and consists of four double buildings with two rooms each eighteen feet square. One dwelling house for superintendent and a large kitchen. A supply of water is gotten from a well. The buildings are heated in winter by means of fire places. There is no allowance in food, the inmates having as much as they want. The arrangement is very good and the situation is high and pleasant, the buildings are somewhat out of repair. Some three hundred acres of land belong to the poorhouse tract, of which about one hundred are in cultivation. It is piney woods land. Corn, wheat, oats, potatoes, cabbage, turnips, peas, &c., raised and used in the support of the inmates. Manures used in improving the land. Mr. Jno. J. Martin is the overseer. His salary is four hundred dollars a year and board. Drs. Wm. Barrow and W. S. Copeland are the physicians who attend the inmates. Their charges are moderate.

PRISON.

The prison is built of wood and is forty by twenty-four feet in size. It is two stories high and contains four rooms for

prisoners twelve feet square. There is one window in each room. No arrangements for heating in winter, still the prisoners are not subject to much suffering from cold. As much bedding and covering is allowed each prisoner as is necessary for his comfort. No female prisoners. Fresh drinking water is furnished twice a day. No restriction in eating. The means of cleansing the prison are sweeping and scouring. The excrement is deposited in covered vessels and removed daily.

ONslow COUNTY.

POORHOUSE.

There is no poorhouse in the county. The poor are let out to the lowest bidder.

PRISON.

The prison is built of wood and is in size, 24x36 feet. There are two stories and four cells about twelve feet square. There are two windows to each cell $2\frac{1}{2}$ x4 feet. No arrangements for heating in winter, yet the prisoners are not exposed to a great deal of suffering from cold. One mattress with as many blankets as are necessary for comfort are furnished each prisoner. Drinking water is furnished twice per day and there is no limit to the amount of food allowed the prisoners. Such means are used to provide for the cleanliness of the prison as are necessary. The excrement is removed daily.

PASQUOTANK COUNTY.

POORHOUSE.

The poorhouse is situated less than a mile from the county seat, and consists of three wooden buildings, two of which are

20x30 feet, the other, 100x40, In the larger building there are fifteen rooms, in the smaller ones, two each. The supply of water is gotten from a well on the premises. The buildings are heated by fire places. The inmates are not limited in food. It costs for the sustenance of each inmate, about \$2 per week. Fences on the premises are in a dilapidated condition. About ten acres of rather poor land belong to the poorhouse nearly all of which is in cultivation. Corn, potatoes and vegetables are raised and used for the support of the overseer's family and inmates. Manures are used in the improvement of the land. Mr. William Etheridge is the overseer. His salary is \$150, per annum with board for himself and family. Dr. W. G. Pool, is the physician. He is paid the usual rate for services rendered.

PRISON.

Is built of brick and iron and is nearly fire proof. It is about 30x40 feet in size, two stories high and has three cells and two rooms; cells, 15x15 feet; rooms, 12x40. The windows are two feet square—two in each room and one in each cell. The building is heated in winter by stoves. A bed, two sheets and two blankets are allowed each prisoner. No female prisoners. Fresh drinking water is furnished twice per day in winter and three or four times a day in summer. The prisoners are well fed, having more food and a greater variety than is provided by statute of State. Two prisoners have been confined in irons for the past few weeks for attempting to break jail. The jailor is required to keep the jail clean by the commissioners. The excrement is carried off in tubs.

PERQUIMANS COUNTY.

POORHOUSE.

The poorhouse is situated three miles from the county seat,

and consists of five buildings, as follows: one dwelling for keeper, 40x45, having six rooms; one kitchen, 25x15, containing two rooms; one large building for inmates, 50x37 feet, with seven rooms; one smaller building 35x17½ feet, having two rooms and one jail, 10x20 feet, with two rooms—all of wood. The supply of water is obtained from a well, and the heating is done by fire places. About one-half pound of meat besides bread, fish, vegetables and molasses is the daily allowance of food. One dollar and twenty-five cents is the average weekly cost of each inmate. The arrangement of the premises is good, though the fence and piazza of the keeper's house are in rather a bad condition. Two hundred acres of poor land are attached to the poorhouse, of which about twenty are in cultivation. About one-half of an acre in cotton and one and one-half acres in potatoes are planted for use of inmates, the balance for overseer. Manures are used for improvement of the land. Mr. Wm. B. Jordan is the overseer. His salary is two hundred dollars per annum. J. D. Smith, M. D., is the attending physician; his salary is one hundred and twenty-five dollars per year.

PRISON.

The prison is built of brick and covered with shingles. The size of building is 24x36 on outside. It is two stories high, and has two rooms and three cells. The size of one of the rooms, 19x11 feet, of another, 11x11 feet, and of the three cells, 11x12. Two large windows in one of the rooms, and one in the other; also one in each of the cells. There is no arrangement for heating the building except a small stove in the lower story, in consequence of which the prisoners are subjected to a great deal of suffering from cold. Two blankets generally are given to the prisoners and more when needed. Males and females are confined separate. Fresh water furnished three times per day. Two full meals per day are allowed the prisoners. For preserving the cleanliness of the

jail, scouring and whitewashing are resorted to. The excrement is carried off by means of sinks.

PERSON COUNTY.

POORHOUSE.

The poorhouse is situated two miles from the county seat, and consists of four buildings of brick and wood; size as follows: one, 100x18 feet; one, 18x30; one, 18x18, with shed, and one, 18x20. Six rooms in one of the buildings; four in another; three in another, and one in the other. The supply of water is from two springs. The buildings are heated by fireplaces. No allowance of food, the inmates have what they want. One dollar per week is the average cost of each inmate. The buildings are well arranged and in good condition. Two hundred and ninety-six acres of land belong to the poorhouse tract, of which fifty are in cultivation. Corn, wheat, oats, cotton, potatoes, cabbage, snaps, onions, &c., are raised and used in supporting inmates. Manures are used in improving the land. Mr. C. C. Clayton is the overseer. His salary is \$125 per annum and board for himself and family. Dr. J. C. Dickens is the physician. He has no stated salary but is paid according to services rendered.

PRISON.

The county prison is built of wood and iron and is 20x24 feet in size. It is two stories high and has five rooms, two below and three above. Two of the rooms are 10x12 feet; the three others are a little smaller. One good sized window to each room and iron grating. Stoves are used for heating in winter. The prisoners have a reasonable supply of blankets. Males and females are confined separate. Fresh drinking water furnished three times per day. For preserving the cleanliness of the prison, scrubbing is resorted to. Excrement thrown away.

PITT COUNTY.

POORHOUSE.

The poorhouse is situated six miles from county seat, and consists of five double houses 18x32 and an overseer's house with four rooms. Water is obtained from a well. Fireplaces used for heating in winter. Ordinary rations of meat, bread, rice, &c., furnished the inmates. The average weekly cost of the maintenance of each is \$1 50. Arrangement of buildings is very good and they are in tolerably good repair. About one hundred acres of poor land belong to the poorhouse tract. Only a garden in cultivation, in which are raised potatoes and cabbage for inmates. Manure and ashes used on garden. Mr. Wm. M. Page is the overseer. He receives \$35 per month for himself and horse, and his rations. No regular physician.

PRISON.

The county prison is built of brick and is in size 34x24 feet. It is two stories high and has two rooms 16x12, two cells 10x10, and one hall 10x22 feet. No windows, but grating instead, and the building is enclosed by wall reaching nearly up to the second story. Stoves are used for heating in winter. Iron bedsteads and sufficient clothing for them have been ordered by commissioners. Males and females are confined separate. Fresh drinking water furnished as often as required. There is no limit to the food of the prisoners. Excrement removed from cells daily and from premises once a week.

POLK COUNTY.

POORHOUSE.

The poorhouse is eight miles from county seat. On the

premises there are six log cabins, which have each a room with chimney and fire place. Water from a spring. A plenty of wholesome food is furnished three times a day. The average weekly cost of each one is eighty cents. The buildings are well arranged and are in good condition. Three hundred and twenty-five acres of poor land belong to the poor house, only one acre of which is in cultivation, as a garden. Potatoes, cabbage, &c., raised and used by inmates. Ashes and manure used in improving the land. Mr. T. C. Bradley is the overseer. He receives 39 dollars per year for each inmate. Dr. J. I. Davis is the physician. He receives no stated salary for his services.

PRISON.

The prison is built of rock and brick. Its size is 30x50 feet, and it is three stories high. There are two cells 12x14 feet, and two cages 10x10. Two large windows in each room. A stove is used for heating the building in winter. A sufficiency of bedding and covering is allowed the prisoners. Males and females are kept separate. Fresh drinking water is furnished as often as required, and there is no restriction in the food of the prisoners. The prison is kept clean.

RANDOLPH COUNTY.

POORHOUSE.

The poor house is situated five and a three-fourth miles from the county seat. There are four log buildings for the accommodation of inmates, twenty feet square, and containing one story, and one framed building 30x18 feet used by the steward. There is only one room in each of the log houses. Water is gotten from a well in enclosure. The buildings are heated by fire places. The inmates have three meals per day, and eat as much as they want. One dollar and eight cents is the

average weekly cost of each. The buildings are old and somewhat below par. About three hundred acres of poor land are attached to the poorhouse, of which twenty are in cultivation. Wheat, corn, oats, cabbage, &c., raised and used by inmates. Manures used in improving the land. The overseer is Mr. Jesse Robbins. He receives fifty dollars a year for each inmate. W. H. H. Conner, M. D., is physician and superintendent. His salary is one hundred dollars per annum.

PRISON.

The prison is built of wood, and is forty-five by thirty-five feet in size. It is two stories high, and has four cells for prisoners, 15x15 feet. Two iron barred windows in each room, 2 feet 8 inches by 4 feet. A stove is used for warming the building in winter. "There is not more suffering from cold than is usual." The prisoners have a sufficiency of bedding and covering to keep them warm. No female prisoners. Two meals per day furnished of meat and bread. Lime is used for keeping the prison clean, the excrement being removed daily from the cells.

RICHMOND COUNTY.

POORHOUSE.

The poorhouse is situated about three miles from county seat. There are on the premises six framed buildings 32x18 feet, containing two rooms each, with a fire place and three windows to each room. A supply of water is obtained from a well in the centre of the premises. The buildings are heated by fire places. Half pound of meat, half pound of bread, coffee and tea are allowed each of the inmates twice per day. One hundred and fifty acres of poor sand-hill land are attached to the poor house, of which five are in cultivation, the balance is rented out. Corn, rye, Irish and sweet potatoes, peas, cot-

ton, tobacco, cabbage turnips, &c., are raised. Manure and ashes used in improving the land. Mr. Joseph Smith is the overseer. His salary is about one hundred and fifty dollars per year. Dr. James A. Covington is the physician. His services are supposed to cost about one hundred dollars per year.

PRISON.

The county prison is built of wood, and is forty by forty feet in size. The building is two stories high and has eight rooms. The four upper ones are used for prison rooms, two of which are cells. Rooms nineteen feet by fifteen. Cells eleven by eight and a half feet. There are two windows in each of the rooms two feet eight inches by four and a half feet. One in each of the cells two feet eleven by eight inches. No arrangements for heating the building, and consequently the prisoners would be subject to a great deal of suffering from cold in winter. Two blankets are allowed each prisoner. No female prisoners. Fresh drinking water is furnished three times per day. There is no allowance in food. The prisoners have what they wish to eat. All that can be is done to preserve the cleanliness of the jail. The excrement is removed daily by the keeper.

ROBESON COUNTY.

POORHOUSE.

The poorhouse is about seven miles from the county seat, and consists of three wooden buildings thirty feet long, containing each two rooms. Water is supplied from a well on the premises. Heated in winter by fire places. One pound of meal and half pound of meat is allowed each inmate. The premises are well arranged and are neatly kept. One hundred acres of land belong to the poorhouse tract, of which ten are in cultivation. Corn, peas, potatoes, cabbage, beans, &c., are

raised and used on the premises. Manures are saved and used in improving the land. Joshua L. Nance, Esq., is the overseer. His salary is one hundred and twenty-five dollars per year. Dr. J. B. Brown is the physician. He has the usual fees for his services.

PRISON.

The county prison is built of wood, and is thirty-six by eighteen feet in size. It is two stories high and has eight rooms. Size seventeen by thirteen feet. The size of windows is four and a half by two and a half. No arrangement for heating the building in winter, yet the prisoners are not subject to a great deal of suffering from cold, as they have a sufficient amount of covering to keep them comfortable. Males and females are confined separate. Fresh drinking water is furnished three times per day. No restriction in food. The prisoners have as much as they want. To preserve the cleanliness of the prison, it is cleaned out once a day and the excrement thrown into the river.

ROCKINGHAM COUNTY.

POORHOUSE.

The poorhouse is situated two miles from the county seat. There are nine hewed log buildings eighteen by twenty feet in size, containing two rooms each. Seven of them are used for the accommodation of the poor. The supply of water is gotten from two good springs near the buildings. For heating the buildings in winter, fireplaces are used. No regular allowance of food to the inmates. One dollar and a half is the average weekly cost of each pauper. The buildings are well arranged, neat and comfortable, but somewhat out of repair. One hundred and twenty-five acres of very poor land belong to the poorhouse tract, of which six are in cultivation. Corn, peas

potatoes, cabbage, snaps, &c., are used for the benefit of the poor. The houses are not protected from the sun. Manures used in improving land. Mr. John G. Mitchell is the overseer. His salary is two hundred dollars per year. Dr. John R. Rain is the physician. He lives two miles from the poorhouse, and his charges are two dollars and a half per visit.

PRISON.

The county prison is built of brick, iron, wood and tin, and is in size 33x40 feet. The building is two stories high and has two cells lined with iron and two rooms. The rooms are about 14 feet square, cells not quite so large; one window to the cell, 6x4 feet, and one in the wall; two 6x4 to each of the other rooms, and two in the passage of the same size. There are no means of heating the prison and the prisoners in cold weather are subject to a great deal of suffering. Three blankets are furnished each of the prisoners. Males and females are confined separate. Fresh drinking water is furnished three times per day and there is no restriction in food. For preserving the cleanliness of the jail the keeper resorts to washing it out. The excrement is carried off by means of cast iron pipes.

ROWAN COUNTY.

POORHOUSE.

The poorhouse is three miles from the county seat and consists of three brick buildings one story high, an overseer's house of wood two stories high and a barn. The size of one of the brick buildings is 18x40 feet; another, 18x36; and the other, 18x34. The overseer's house is 20x26; the barn, 16x20. The overseer's house and two of the others have two rooms each, the other brick house has four rooms. The supply of water is from a well. The heating in winter is done by fire

places. The daily allowance of food to the inmates is one quart of meal with one-fourth of a pound of meat, molasses and vegetables to each. The average weekly cost of the inmates, including clothes, is \$4 each. The buildings are in good repair. One hundred acres of very poor land belong to the poorhouse tract. Only truck patches are in cultivation. Potatoes, cabbage and turnips are raised and used by inmates. Ashes and manures used in improving the land. John Pringle, overseer. Salary \$150 per year and dwelling. Dr. J. J. Summerell, physician. Salary \$100 per year.

PRISON.

The county prison is built of brick and is not fire proof. There is a fire company in the town which would be on hand in case of fire. The size of the building is 40x30. It is three stories high and has on the third floor five cells 12 feet square, which are used for confinement of prisoners. There are twelve windows around the outer wall of the third story 4x3 feet. No arrangement for heating the building in winter, but as the prisoners have a sufficiency of covering they are not subject to much suffering from cold. Male and female, white and colored, are confined separate. Fresh drinking water is furnished three times per day. The prisoners have more than the law allows to eat of bread, meat, vegetables, &c. Prison is kept clean by scouring and sweeping. Excrement is carried off in buckets.

SAMPSON COUNTY.

POORHOUSE.

The poorhouse is four miles from the county seat. There are on the premises four framed buildings 36x18 having two rooms with a fire place in each. The supply of water is obtained from well and spring. The premises are in a high,

sandy pine country, considered very healthful. The buildings are very plain and rough and are badly out of repair. One hundred acres of very poor land belong to the poorhouse tract. There are at present no inmates in the poorhouse, the poor being provided for by commissioners in each township.

PRISON.

The county prison is built of wood, brick and iron. Its size is 24x36 feet. There are two stories in the building—two rooms and two cells. Size of rooms, 10x22 feet; of cells, 10x14. Two windows to each room and three to each cell, size 4x6 feet. There is no way of warming the prison in consequence of which the prisoners, in extreme cold weather, suffer from cold. Three or four blankets are allowed each prisoner. No female prisoners. Fresh drinking water is furnished twice per day. No restriction in eating. The prisoners have plenty to eat of bacon, bread, peas and vegetables. Frequent scouring and white-washing are resorted to, to preserve the cleanliness of the prison. Excrement is thrown into a ditch which carries it off.

STANLEY COUNTY.

POORHOUSE.

Located three and one-fourth miles from the county seat. It consists of two buildings for paupers, one thirty by thirty feet and the other eighteen by thirty-six. There are five rooms in the larger building and two in the other. Supply of water gotten from a well in the yard. The warming of the buildings is by means of fire-places. The inmates have a plenty of ordinary food. The average weekly cost of each is \$1.50. The buildings are in tolerably good repair. Seventy-one acres of poor land belong to the poorhouse tract of which eight or ten acres are in cultivation. Cabbage, turnips, potatoes, &c., are

raised and used by inmates. No protection of the houses by shade trees. John Howell is overseer. He receives for feeding and clothing the inmates sixty-four dollars and fifty cents each per year. Dr. A. J. Shank, physician; receives one dollar and fifty cents per visit.

PRISON.

It is built of wood and is thirty by forty feet. It is two stories high, has two rooms and two cells. Size of rooms sixteen by sixteen, of cells fourteen by fourteen. One window to each room two by four, one to each cell, a foot square. There are fire-places in the rooms but none in the cells. A sufficient amount of bedding is allowed the prisoners to make them comfortable. Males and females are confined separate. There is no restriction whether in fresh drinking water or in food though the latter is necessarily common. Excrement removed by hand.

SURRY COUNTY.

POOR HOUSE.

The poor house is nine miles from the county seat. There are on the premises four buildings. One built of brick, is fifty-six by twenty-six feet in size and has eight rooms. The other three are hewed log houses and are as follows: One thirty by twenty feet with three rooms, one twenty-four by eighteen with one room, and one eighteen by twelve with one. Water is supplied from a spring. The buildings are warmed by fire-places; half pound of bacon with cabbage, potatoes, &c., furnished each inmate daily. The average weekly cost of each inmate is one dollar without taking into consideration that which is raised at poorhouse. The houses are tolerably well arranged, in pretty fair condition and are neatly kept. Some repairing is necessary. Two hundred and twenty-five

acres of common upland, thin, hilly, &c., belong to the poor-house tract. Two acres in cultivation. Corn, potatoes, cabbage, beans, &c., raised and used by paupers. The houses and yard are only partially shaded. Manures used in improving land. Thomas J. Williams is overseer. His salary is about one hundred and twenty dollars per year. Dr. George W. Clemmons is attending physician. He receives forty dollars per year.

PRISON.

The county prison is built of brick, and is forty by fifty feet. It is two stories high and has four cells for prisoners eleven by nine feet. Two by four feet is the size of windows—three to two cells. No arrangement for heating in winter, and the prisoners are, on this account, subject to much suffering from cold. A good straw bed, with sufficiency of covering is allowed the prisoners. Males and females are confined separate. Fresh drinking water is furnished as often as required. The prisoners have as much to eat as they want three times per day. Water is used for cleansing the jail, and the excrement is conveyed to ground floor of the prison by pipes and thence by covered ditch.

TRANSYLVANIA COUNTY.

POORHOUSE.

There is no poorhouse in the county. The poor are kept by proper agents. From six to seven dollars is paid quarterly for their support.

PRISON.

The county prison is built of wood, and is 16x22 feet in size. It is two stories high, and has four rooms and two cells,

the size of which is 9x16. There is a window in each room, 4x2½, and one in each cell, 1½x3 feet. There is no means of heating the building in winter and the prisoners are subject to much suffering from cold. A sufficient quantity of bedding and covering is given the prisoners. Males and females are confined separate. Fresh drinking water is furnished as often as necessary. The prisoners are not allowed in their food. To preserve cleanliness the cells are swept out twice per day or as often as is necessary.

TYRELL COUNTY.

POORHOUSE.

The poor house is about six miles from the county seat, and consists of three wooden buildings, viz: A dwelling house, a cook house and a barn. The dwelling house is about 26x26 feet; the cook house and barn, 25x20. The supply of water is obtained from a well in the yard. The buildings are heated by fire places. The inmates are fed by keeper, and there is no complaint. The average weekly cost of each inmate is three dollars. The buildings are out of order and in bad condition generally. One hundred acres of land belong to the poorhouse tract, the most of which is poor land. Seven or eight acres are in cultivation. Mostly potatoes were raised last year. Cabbage and other vegetables were raised to some extent. Uriah Sands, keeper. Salary two hundred and twenty-five dollars per year. No regular physician employed.

PRISON.

The county prison is built of wood and iron. It is 40x20 feet in size, is one story high, and has three rooms for prisoners one of which is 12x16; one, 14x16; and one, 16x16 feet in size. One window in each room, 2x3 feet. No arrangements for heating in winter. Enough bedding and covering gener-

ally iurnished the prisoners to keep them warm. The males and females are confined separate. No allowance either in fresh drinking water or food. The prison is generally kept clean by the jailor.

UNION COUNTY.

POORHOUSE.

The poorhouse is situated at county seat, and consists of two buildings ; one 20x40 feet, with two rooms and two fire places ; one, 20x44 feet, with five rooms and two fire places. Water is supplied from a well. Fire places are used for heating. No definite allowance of food is given but as much as the inmates wish to eat. About one dollar is the average weekly cost of each of the inmates. The arrangement of the buildings is tolerably good. Houses constructed with a view to "neatness and commodiousness." One of the buildings is not in good repair. Twenty-five acres of moderate quality land belong to the poorhouse tract, of which about four acres are in cultivation. Corn, potatoes, cabbage, beans, peas, &c., raised and used by inmates. Ashes and manures are used in improving land. Several other families are partially supported by the county outside of the poorhouse. John D. Stewart, Esq., is the overseer. Salary twelve dollars and fifty cents per month. Thomas W. Brickett, M. D., physician. He receives one dollar and fifty cents per visit—subject to a reduction by commissioners.

PRISON.

The county prison is built of brick and is in size 20x40 feet. It is three stories high and has five cells including debtor's room. The debtor's room is 13x27 feet. Two of the rooms are 13x13, and the other two, 9x9. There are four windows in the debtor's room, 4x3 ; the rooms next in size have two

windows each, and the other two rooms have a window apiece, 30x15 inches in size. No arrangements for heating except a fireplace in debtor's room, and in consequence, "without a good deal of bed clothing the prisoners are subject to much suffering from cold." They have as much covering as they are supposed to need. Males and females are confined separate. No restriction in either their eating or in fresh drinking water. The jail is swept to keep it clean and the excrement carried out by hand.

WAKE COUNTY.

POORHOUSE.

The poorhouse is six miles from the county seat, and consists of seven wooden buildings, 32x16 feet in size. There are two rooms in each house. Fireplaces are used in winter for warming purposes. The inmates are fed plentifully without any particular allowance. The premises are in tolerably good condition. Three hundred and sixty-two acres of good land belong to the poorhouse tract, sixty of which are in cultivation. Corn, wheat, oats, potatoes, cabbage, turnips, &c., raised and used in the support of inmates. Ashes and manures are used in improving the land. No punishment ever inflicted except confinement of the insane. Mr. Riley Yearby is overseer. Salary \$300 per year and rations. Dr. Wm. P. Forrest, physician. He receives \$2 50 per visit.

PRISON.

The county prison is built of brick, stone, iron and wood. Its size is 40x40 feet; it is two stories high, and has six rooms. There are two rooms 16x20, and four cells, 8x10 feet. Two windows in each of the upper rooms, 3x4 feet, and four in each cell 3 feet by 10 inches. The windows in upper rooms are closed with sheet iron to prevent communication from

outside. There are grated doors in the rooms and cells. There are no arrangements for heating the building in winter, yet the prisoners are not necessarily subjected to a great deal of cold as the sheriff furnishes as much covering as is required. The amount generally given each prisoner is two pair of blankets. Males and females are confined separate. The daily allowance of food is from one and one-half to two pounds of meat and one pound of bread. Fresh drinking water is furnished three times per day. For breaking jail, attacking jailor, &c., two prisoners were chained to the floor and deprived of water for twelve hours in two successive days. The rooms are whitewashed frequently and the excrement is thrown into a sink and chloride of lime thrown over it.

WARREN COUNTY.

POORHOUSE.

No poorhouse in the county. The paupers are taken care of by different persons in the county under special contract. Arrangements have already been made to build a new poorhouse, which will be carried into effect during the present year.

PRISON.

There is no prison in the county, but one is in course of erection, to be built of granite and to be 35x45 feet in size. It is contemplated to have it fire-proof. There is on the premises a reservoir a hundred yards distant from the jail, of which the capacity is fifteen thousand gallons, but there is not yet any fire engine. It is to be two stories high and will have eight rooms four of which are to be devoted to the jailer and family, and the other four with two passages, to the prisoners. Size of rooms 12x14 feet; of passages 12x8. Two windows in each room 2x2. The jail will be warmed by means of stoves. On the fifth of February, 1868, the prison and all in it, save the

prisoners, was consumed, since which time the adjoining counties have taken the prisoners of this county in charge. There is a small caliboose 12x12 feet used temporarily as a prison, and the prisoners in this are allowed as much as they want to eat, and fresh drinking water three times per day. The caliboose is swept, and the filth removed daily.

WASHINGTON COUNTY.

POORHOUSE.

Located two miles from the county seat, consists of five buildings, as follows: One twelve by fourteen feet, one thirty-two by sixteen, one fourteen by twenty-two, one twenty-eight by fifteen with shed and piazza, one smokehouse ten by ten. There is one room in the first house, two in second, two in third, five in fourth and one in fifth. Water is obtained from a well. The buildings are heated by fireplaces. One bushel meal, twelve pounds of pork, one pound of coffee, half pound of tobacco, half gallon of molasses, five pounds of flour, one bar of soap, is the monthly allowance of each inmate. The average weekly cost of each is one dollar and twenty-five cents. Buildings are in good condition. Ninety acres of land—sandy soil—belong to the poor house tract. Eight acres are in cultivation on which are raised, cabbage, beans, potatoes, &c., used for the support of inmates. Asa M. Johnston, overseer. Salary one hundred and fifty dollars per annum. Dr. W. W. Ward, physician. Salary one hundred dollars per year.

PRISON.

Is built of brick and iron with wood cover. It is, in size, forty-eight by twenty-four feet. Two stories high, has four rooms twenty by sixteen feet. Two windows each in the rooms below, five by three feet, four in each of those above two by two feet. Stoves are used in heating the building. Two

double blankets are furnished to each of the prisoners. Water furnished two or three times daily, one pound meat, over a pound of bread and vegetables is the daily allowance of food to each. Excrement carried off from jail in tubs.

WATAUGA COUNTY.

POORHOUSE.

There is no poorhouse in the county, but the poor are attended to by agents. There are eight paupers in the county whose support costs three hundred dollars per year.

PRISON.

The county prison is built of wood, and is, in size, thirty-four by twenty-four. It has two stories, one cell and two rooms for prisoners. Cell twenty-two by twenty-four feet, the other rooms eight by twelve. There are two windows in cell room two by five feet. The building is heated in winter by fireplaces and a stove. There have never been any prisoners in the jail in winter up to this time, and there are none in it at present. The excrement is carried off from prison by means of sewers.

WAYNE COUNTY.

POORHOUSE.

The poorhouse is situated six miles from the county seat. There are on the premises four buildings, two of which are sixteen by twenty, and the other two sixteen by thirty-four, with shed one side. There are two rooms in each building. A well of good water is convenient, from which a supply is obtained. For heating the buildings in cold weather, fire places are used. No allowance in eating, every one having as

much as he wants of good wholesome food. One dollar is the average weekly cost of each inmate. The poorhouse is situated immediately on the W. & W. R. R. It is well arranged, neat, and in very fair condition. From eight to ten acres are in cultivation, on which are raised corn, potatoes, vegetables, &c., used by paupers. Manures are used in improving land. Blancy Scott, Esq., is overseer. Salary, fifteen dollars per month. Dr. John B. Owen, physician. Salary, fifteen dollars per month.

PRISON.

The county prison is built of brick, wood and iron. Its size is 30x40 feet, and it is two stories high, having five rooms. Three of the rooms are 10x12 feet, and the other two 12x14. There are two windows to each room 10x12 inches. No arrangements for heating the building; there is not, however, more suffering from cold than is general in prisons. A fair supply of thick blankets is furnished the prisoners. Males and females are confined separate. Fresh drinking water is furnished generally three times a day. Enough of well cooked meat and bread is furnished to maintain good health. Sometimes light punishment is inflicted for disorderly conduct. The jail is scoured twice a week, with boiling water. Chloride of lime has sometimes been used. The excrement is removed, morning and night, to a ditch fifty yards distant.

WILSON COUNTY.

POORHOUSE.

The poorhouss is two miles from the county seat, and consists of four 34x16 feet dwellings, built of pine lumber. There are two rooms in each. The houses are built one hundred feet apart. Water is supplied from a well. The buildings are heated by fire places. The daily allowance of food is from

five to six ounces of bacon, with vegetables, flour, sugar, coffee, &c. The average weekly cost of the maintenance of each is two dollars and a half. The houses are in good condition, only one of them needing repairs. One hundred and forty acres of ordinary sandy land belong to the poorhouse tract, of which twenty-five are in cultivation. Corn, peas, potatoes, tobacco and garden vegetables are raised and used at the place. Houses only partially shaded. Manures are use in improving the land. W. A. Overman, Esq., is overseer. Salary, one hundred and thirty dollars, in specie, and board per year. Dr. S. Woodward, physician. Salary, one hundred and fifty dollars per annum.

PRISON.

No report.

YADKIN COUNTY.

POORHOUSE.

The poorhouse is about a quarter of a mile from the county seat, and consists of two double log buildings twenty by forty feet. There are two rooms in each. The supply of water is from a spring. The buildings are heated by fire places in winter. The poorhouse having become destitute of furniture, the poor were put with different persons through the county. The commissioners anticipate refurnishing it and taking the poor back at an early date. About fifty persons receive help from the county at present, but only about one-half of these will be admitted into the poorhouse. The average weekly cost of the maintenance of each is sixty cents. The fences of the premises are very good, but the arrangement for a rotation of crops is not. The buildings on premises need repair. About one hundred and fifty acres of rather poor land belong to the poorhouse tract, of which thirty acres are in cultivation. The land is rented out and the rent applied to defraying the expenses of

the poor. There is no shade to the houses except that afforded by fruit trees.

PRISON.

The county prison is built of brick, and is 30x40 feet. It is two stories high and has four rooms below and four cells above. The rooms are 14x16 feet, and the cells 12x14. There are eight windows above and eight below, 12x16, and one in each cell, two by three feet, with two sets of cross bars of iron. The lower rooms are heated by fire places; those above are not heated at all, and the prisoners are subjected to a great deal of suffering on account of cold. Very little bedding and covering is furnished the prisoners at present, but the commissioners anticipate getting more. Males and females are confined separately. Water is furnished as often as necessary. No regular daily allowance of food—no complaint from prisoners. The excrement is carried off by means of pipes.

YANCEY COUNTY.

POORHOUSE.

The county poorhouse is now being built. The paupers are kept by citizens in the country. The poorhouse is about five miles from Burnsville. It consists of two buildings, one of which is 18x22, the other 22x28, built of hewed logs. The supply of water is from a spring and branch near by. The buildings will be heated by fire places. Fifty acres of good land belong to the poorhouse tract, of which twelve or fourteen are in cultivation. Corn, wheat, oats, potatoes, cabbage, &c., are raised. Samuel Austin will be overseer when the buildings are completed. He will receive \$60 for each inmate per year for his services.

PRISON.

The county prison is built of brick and is 44x22 feet. It is

two stories high and has three cells for prisoners—seven rooms in all. One of the rooms is 16x18, the other two 9x16. There are two good-sized windows in one room and one in each of the others. The prison is heated by a fire place in one room and a stove in the other rooms. The prison is not yet finished.

TABULAR STATEMENT,
SHOWING THE NUMBER, CONDITION, ETC., OF THE INMATES OF POOR HOUSES.


Names of Counties.	No. of inmates that can be ac- commodated.	No. in charge July 1st, 1868.	No. admitted since that time.	No. discharged.	No. died.	No. in poor- house at present.	No. able to work.	No. helpless.	Remarks.
Alamance,	20	10	20	7	4	19	4		No report.
Alexander,	12	6	8	4	3	7	1		
Alleghany,									No report.
*Anson,	25	12	9	3	4	13	3		
Ashe,									23 persons are supported by co'ty outside of poorhouse. There is no poorhouse in this county \$3 per month is allowed by the county to each person unable to work.
*Beaufort,	60	12	4	1	2	14	6	5	
Bertie,	30	20	5			25			No report.
*Bladen,	20	6	4		2	9	2	2	
Brunswick,									No report.
Buncombe,									
Burke,	10	4	8	7	2	3			No report.
Cabarrus,									
Caldwell,									No report.
Camden,	20-30	3	7		2	8	7	1	
Carteret,									No report.
*Caswell,	60	42	12	7	11	42	9	14	

TABULAR STATEMENT.—Continued.

Names of Counties.	No. of inmates that can be accommodated.	No. in charge July 1st, 1868.	No. admitted since that time.	No. discharged.	No. died.	No. in poor-house at present.	No. able to work	No. helpless.	Remarks.
*Catawba,	18	20	3	4	6	10	2	2	
Chatham,	35	29	4		8	25	3	2	
Cherokee,	10	5	4		1	8		3	
*Chowan,	22	6	10	7	1	4		2	
Clay,									No Poorhouse.
*Cleveland,	24	12	3		2	11	6	3	
Columbus,									No report.
Craven,	30	8	43	9	5	37	3	3	
Cumberland,	50		14	19	5	30	4	5	No record was kept up to January 1st, 1869.
Currituck,									No records kept up to October 5th, 1868.
*Davidson,	40	24	21	16	5	23	4	3	
*Davie,	20-25	12	4	3	1	11	5		
Duplin,	40	25	30	41	4	10			No report.
Edgecombe,									
Forsythe,	30				3	13	4		
*Franklin,	32	14	9	1	4	19	4	3	

*Gaston,	16	10	16	1	10	16	6	1	No account kept of admissions and discharges.
*Gates,	50	2	6	5	3	3		2	
Granville,	50-55	55			13	27		1	No report.
*Greene,	10	7	3	3	4	4	1	11	
*Guilford,	90	50	72	40	11	66	19	7	No report.
Halifax,		38	21	7	6	46	11		
Harnett,	10	3		1	1	1	1		No report.
Haywood,	4	2	4		2	4		2	
Henderson,									No report.
Hertford,									
*Hyde,	20	13	5	17	1	2		2	No report.
Iredell,	24	14	6	3	1	16	4		
Jackson,									No report.
Johnston,									
Jones,									Some receive support from county not in p'rhuse
Lenoir,	10-15	10	7	1	1	5	1	2	
*Lincoln,	32	9				16		16	No report.
Macon,									
Madison,									No report.
Martin,	20	11			1	10	1		
*McDowell,	15	6	5		1	8	1		No report.
*Mecklenburg,	40	20	22	13	8	18	6	3	
Mitchell,									No report.
Montgomery,	40	16	7		2	21	1		
*Moore,	24	13	1	1		15	3	1	
*Nash,	42	27	4	12	3	16	6		

	24	5	7	4	4	4	17	3	1	No paupers are kept by county. No report.
Sampson,	24	5	7	4	4					
Stanley,	30	18		1						
Stokes,										
Surry,										
Transylvania,	10	1	1	1	1		2	2	5	No poorhouse. All cared for by county are not in poorhouse.
*Tyrrel,	30	24	13	10	5		22	6	5	
Union,	80-100	83	30	30	24		59	10	5	
Wake,										
Warren,										No poorhouse.
*Washington,	40	13	19	3	5		18		3	
Watauga,										No poorhouse. Opened Jan. 21, 1869.
*Wayne,	32		11				10	3	7	No report.
Wilkes,										
Wilson,	15-20	12	11	9	4		10	4	2	P'rhous not open at pres Poorhouse being built.
Yadkin,	24									
Yancey,										
Totals,	1,835	950	722	417	244	1,026	180	163		

 The figures are put down just as they were received in the reports of the different counties. Those marked * are inaccurate.

TABULAR STATEMENT,

SHOWING THE NUMBER OF PRISONERS CONFINED IN THE COUNTY PRISONS.

Names of Counties.	NO. OF WHITE PRISONERS.		NO. OF COLOR'D PRISONERS.		Total No. White.	Total No. Color'd.	Total No. Prison'rs.	Remarks.
	Male.	Fem'le	Male.	Fem'le				
Alamance,	3	1	5		1	5	6	No report. No prison. No report.
Alexander,					3		3	
Alleghany,								
Anson,	2		15		2	15	17	No report. No report. No report.
Ashe,						5	5	
Beaufort,						1	4	
Bertie,	3	1	1		3	1	4	No report. No report. No report.
Bladen,					1	1	2	
Brunswick,								
Buncombe,	2		2		2		4	No report. No report. No report.
Burke,								
Cabarrus,								
Caldwell,								No report. No report. No report.
Camden,								
Carteret,								

Caswell,	1	3	1	1	1	5
Catawba,	1	2			4	4
Chatham,	1	3			2	4
Cherokee,	2				3	4
Chowan,		8			8	2
Clay,						8
Cleveland,						
Columbus,						
Craven,	2	11	1		12	35
Cumberland,	1	13			13	14
Currituck,						
Davidson,		4			4	4
Davie,		2			2	2
Duplin,		5			5	5
Edgecombe,						
Forsythe,	1	6			6	7
Franklin,		3	7		10	10
Gaston,	3		1		1	7
Gates,		2			2	2
Granville,		7	1		8	8
Greene,						
Guilford,	2	8			8	10
Halifax,		2			2	2
Harnett,						
Haywood,						
Henderson,		2			2	2

No prisoners confined.

No prisoners confined.

No report.

There are 21 added in total, awaiting trial, whose color cannot be ascertained by the report received.

No report.

Three of these are from Yadkin county.

No report.

No report.

No prison.

TABULAR STATEMENT—(Continued.)

Names of Counties.	NO. OF WHITE PRISONERS.		NO. OF COLORED PRISONERS.		Total No. Whit.	Total No. Color'd.	Total No. Prison'rs.	Remarks.
	Male.	Fem'le	Male.	Fem'le				
Hertford,							5	No report.
Hyde,	1		5		1	5	9	No prisoners in confinement.
Iredell,			8			8		No report.
Jackson,								No report.
Johnston,								No report.
Jones,								No report.
Lenoir,	1		4	1		5		No report.
Lincoln,	1		3		1	3	4	No report.
Macon,								No report.
Madison,								No report.
Martin,								No report.
McDowell,	1		7		1	7	7	No report.
Mecklenburg,							1	No report.
Mitchell,	4		14	1	4	15	19	No prisoners in confinement.
Montgomery.								

Moore,	2	4	1	2	5	7	No report.
Nash,	1	6	1	1	6	7	
New Hanover,	2	27	1	2	28	30	
Northampton,		2			2	2	
Onslow,		1			1	1	No report.
Orange							
Pasquotank,	1	2		1	2	3	
Perquimans,	1	2		1	2	3	
Person,		1		1	1	1	No prisoners.
Pitt,	2	1	1	2	2	4	
Polk,		2			2	2	
Randolph,		1			1	1	
Richmond,		1			1	1	No prisoners.
Robeson,		3			3	3	
Rockingham,							
Rowan,	3	2	1	3	3	3	
Rutherford,		4			4	7	No report.
Sampson,							
Stanley,	2	12		2	12	14	
Stokes,	1			1		1	
Surry,		1			1	2	No prisoners confined. No prisoners confined.
Transylvania,							
Tyrrell,							
Union,		1			1	1	
Wake,	9	22		9	22	31	
Warren,		1			1	1	

TABULAR STATEMENT.—Continued.

Names of Counties.	NO. OF WHITE PRISONERS.		NO. OF COLOR'D PRISONERS.		Total No. White.	Total No. Colored.	Total No. Prison'rs.	Remarks.
	Male.	Fem'le	Male.	Fem'le				
Washington,	1		4		1	4	5	No prisoners confined.
Watauga,								
Wayne,	2		15	1	2	16	18	No report.
Wilkes,								No report.
Wilson,								
Yadkin,	2		1		2	1	3	No prisoners confined.
Yancey,								
Totals,	62	5	266	18	67	284	372	

There are twenty-one prisoners added in the total of Craven county who could not be classified on account of their color not being reported.

NO. IV.

GENERAL STATEMENT SHOWING AGES OF PRISONERS.

AGE.	No.	AGE.	No.
10 years,	1	35 years,	20
12 " "	1	36 " "	3
13 " "	2	37 " "	3
14 " "	1	38 " "	3
15 " "	4	39 " "	3
16 " "	4	40 " "	14
17 " "	11	41 " "	1
18 " "	20	43 " "	3
19 " "	13	44 " "	1
20 " "	28	45 " "	6
21 " "	25	46 " "	1
22 " "	32	47 " "	1
23 " "	23	48 " "	1
24 " "	11	50 " "	9
25 " "	25	51 " "	2
26 " "	8	52 " "	1
27 " "	8	53 " "	3
28 " "	5	55 " "	3
29 " "	3	59 " "	1
30 " "	24	60 " "	1
31 " "	6	61 " "	1
32 " "	2	66 " "	1
33 " "	4	70 " "	1
34 " "	5	Unknown,	23
Total,			372

NO. V.

GENERAL STATEMENT SHOWING THE CRIMES AND CAUSES OF
CONFINEMENT.

CRIMES AND CAUSES OF IMPRISONMENT.	No.
Adultery,.....	3
Aiding in riot,.....	1
Arson,.....	10
Assault and battery,.....	7
Assault intending murder,.....	2
Attempt at rape,.....	4
Bastardy,.....	3
Breach of Peace,.....	3
Breaking jail,.....	1
Burglary,.....	27
Conspiring to rob,.....	2
Drawing deadly weapon,.....	1
False pretenses,.....	1
Highway robbery,.....	8
Horse stealing,.....	13
Illicit distilling,.....	1
Infanticide,.....	1
Killing Jack,.....	1
Killing horse,.....	1
Larceny,.....	199
Manslaughter,.....	7
Misdemeanor,.....	1
Murder,.....	18
Poisoning,.....	1
Rape,.....	8
Robbery,.....	8
Slander,.....	1
Shooting, intent to kill,.....	1
Violation of revenue law,.....	2
Crimes not reported,.....	27
Cost of suit,.....	1
Escaped prisoners,.....	2
Insanity,.....	6
Total,.....	372

NO. VI.

REPORT OF DR. G. W. BLACKNALL, SPECIAL AGENT
BOARD OF PUBLIC CHARITIES.

RALEIGH, N. C., Nov. 15th, 1869.

*To the Board of Public Charities
of the State of North Carolina :*

GENTLEMEN :—The important duties assigned me at the last meeting of this Board have had as much of my time as my other business would admit of. Through correspondence and by personal inspection, I have been enabled to find out something in reference to the general condition of our penal and charitable institutions. To form a clear, correct and comprehensive idea of the mission assigned me, and to give an intelligent opinion as to what was necessary for the guidance and practical government of our institutions, I have also visited some of those of the Northern and Eastern States, where I saw and learned many things which might be turned to practical use in our own State, and about which I will speak in this communication as occasion demands. Of our poorhouses I will first speak, and I trust you will excuse me when I say, in most cases, they are really what their name indicates—poor houses—yes, *poor* houses. Most of them are not only a disgrace to the State but a sin against humanity ; and to make them what they should be, a radical change must be brought about. To speak of their many imperfections gives me no pleasure, and I am sure would be a mortification to you ; suffice it to say the houses are fast coming to decay, not sufficient in size and number, and, in many cases, no better than outdoors ; and the bedding and clothes are in a bad condition, and the inmates gen-

erally a miserable set of people left there to eke out an unhappy existence. Are the people of this good old State willing to see her poor, many of whom are very good people, cast off and not cared for as well as cattle should be? No, I can answer for them, and feel sure if the matter was properly brought before them, it would be different; and I will here say that every poorhouse in the State should be visited, together with the jails and other institutions, and direct information and instructions given those in authority as to the general management of the institutions and the care of those under their charge, and many other things necessary for their guidance.

The jails visited were on a par with institutions of the kind; but much—yes, much—is yet to be done to make them more comfortable, and turn out men who would feel while their crimes had caused their confinement, the State had an eye to their general welfare and wished them to reform and become not only useful to themselves and families, but to society and their fellowman.

The civil war has left us a sad inheritance of corruption and vice, and the work of improving the morals of the masses requires time—especially time of peace—but we must be charitable, and not denounce, in too strong terms, all men found inside the prison walls and think they are the only bad men. Far from it, as we meet equally bad men in our every day walk of life. Be this as it may, it becomes us, as civilized and christian people to look after the unfortunate, and lend them a helping hand towards reclamation. Our prisons seem to have been established rather to intimidate and deter, than to reform. They punish, but do not, in but few instances, correct. The convict should be surrounded with every good influence possible, such as religious instruction, and the reading of books—having as their object a good moral influence—and, above all, the frequent visits of ministers of the gospel, whose duty, I must think, it is to pay some attention to these people, and try to put them in a way of reformation. As a general thing our jails are

miserably constructed, and there is little or no attention paid to the division and classification of prisoners. Every offender, or even one accused of crime—the boy of twelve, put in for a street fight, or some slight misdemeanor, and the hardened criminal, deep dyed in infamy, are all thrown together in filth and idleness, thereby making the jail a seminary of crime and corruption. And once an inmate, ten to one, if the person is not irritrievably lost, and with ideas instilled into their minds which will cause them to discard everything good and follow in the footsteps of some abandoned and god-forsaken jail associate! Therefore I would strenuously recommend, in every case where it is practicable, that great care should be exercised in classifying prisoners, and that special rules and requirements be forwarded immediately to every jailor in the State, as many are of the opinion that muscle alone, and not brain, is all that is necessary for the good management of jails.

I find that another great evil appertaining to the affairs of our prisons—is that the accommodations and appropriations provided for prisoners by the public contemplate scarce anything beyond the bare necessities of life and secure confinement. And when this has been done jail-keepers and the community at large think they have done their duty; and thus it is we find no effort at the reformation of prisoners, and no attempts at improvement or discipline; no provision for moral or religious instruction corresponding with what intelligent and christian sentiment might expect, and public opinion should demand. That there is this lamentable indifference and culpable neglect on the part of our citizens, in reference to their duty in connection with the proper care and management of prisoners, no right-minded, liberal man can deny.

Let it not be inferred from anything we have said above, that we desire to see our jails transformed into palaces—nothing could be further from our wishes, or our sense of the fitness of things. What we do insist upon is that patriotism, philanthropy and religion demand that they should be so constructed, organized, arranged and managed that they may

become schools of virtue instead of seminaries of vice, and that the influence on those confined within their walls may be such as to purify and reform rather than corrupt and destroy. I have only one object in view, which, from my heart, I wish to see accomplished, and it is this : to see justice ever tempered with humanity—all distinctions of religion, color and country laid aside when we enter upon the great work of philanthropy—to serve the unfortunate members of the great brotherhood of mankind ; and I am sure every good man has at heart the same object.

I would here recommend the establishment of a house of industry or correction, where vagrant boys and girls might be sent, and not only learned to work and be useful, but at the same time acquire an education, and have their moral principals so cultivated that, instead of being drones in society, they may become useful. In this respect I deem it unnecessary to designate plans and specifications, or definitely state the modus operandi of such an institution, but simply to make special mention of it, so as to call direct attention to its importance. If all Northern States require many like institutions, why should we not have one to begin with, as an experiment? This would enable us to test its practicability—then all might be worked from this one centre.

The institution for the Deaf and Dumb and the Blind, located at Raleigh, and under the supervision of Willie J. Palmer, Esq., in its general discipline and management, compares very favorably with any institution of the kind North or South ; therefore I have no complaint to make or any suggestions or advice to give, which could add in any way to its better government. But permit me here to say that the institution is much too small for its present number, and if the State desires to care for this class of persons, some addition is inevitable, and I would respectfully call the immediate attention of the Board to many inconveniences submitted to on account of the deficiency in room.

The Lunatic asylum of the State, under the management of

Dr. Eugene Grissom, and his accomplished assistant, Dr. F. T. Fuller in internal construction, discipline, neatness, general good care of the patients, kindness and humanity, rank it equal to any institution of the kind in the United States. Here the unfortunate can find a good home, and have every care necessary for their comfort. But at present the institution is crowded much beyond its capacity, and to accommodate not only those already there, but others, the State must either enlarge the present buildings or build a new one entire. From the best information obtained, I find that there are from four to five hundred insane persons now in the State awaiting admission into the institution, and for want of room, they are now confined in jails, poorhouses, and kept at home to the detriment and annoyance of their friends and neighbors, and without the necessary and skilled medical aid essential for their hope of recovery. Now must this be so—shall these poor unfortunate people drag out a miserable and beastly existence, or will the State, in her great generosity and magnanimous spirit, come to their relief—unfetter their chains, and say—go to the home we have provided for you? We suppose, and take it for granted, that no man or woman of common sense doubts the propriety and use of an Insane Asylum. Certainly none but the profoundly ignorant could object to the care and protection of these unfortunate and miserable people, and throw them on the world, not only endangering the peace and safety of others, but a curse and burthen to themselves. All, then, must admit the necessity of such institutions, and all see they are as essential as the houses we live in, and it must always be kept in mind that no institution is half so necessary as that. Other dependants may be disregarded—other sick folks neglected—but the insane must be cared for, and as friends individually cannot do so, the State must step in to their relief. Men and women of the highest intellect and social position are often seen afflicted with this dreadful malady, and the disease, like death, is no respecter of persons. The sick and the poor, the white and black, are alike

its victims. Therefore, among the various institutions which become necessary to civilization, to communities, to society and to afflicted humanity, Asylums for the Insane, we must admit, are the most necessary, as well for the safety of the patient as for the public well-being. Admitting all this to be true, and I feel sure none will dispute it, does it not become us to make provisions for the several hundred unfortunate men scattered over the State, uncared for. Then comes about the inquiry—what shall be done? Shall we enlarge the present Insane Asylum, or shall we build a new one? To enable me to throw some light on the subject, while in the Northern States, I consulted men of vast experience in such matters, and in consequence thereof, I must give my opinion in favor of an enlargement of the present buildings; for various reasons. Among others I will mention: the saving of several hundred thousand dollars in the buildings—a large saving in annual expenses—the requiring of fewer officers—the better management and classification of the patients, and the present locality being at the Capital. I have at hand plans and specifications for new buildings; also plans for the enlargement and improvement of the present building, which may be done, adding beauty and convenience instead of detracting from its present stately appearance; and in fact, by the addition, the buildings may be much improved in appearance. In visiting institutions North, I noticed one vast, yes, very great, improvement on ours. While in general management and care of the patients they do not excel us; they make all their grounds and surroundings a perfect show of beauty and magnificent scenery, each one trying to excel the other. Elegant trees and shrubbery—beautiful flowers—tastily laid-off walks—rustic houses and seats, and in fact, everything that could be suggested to beautify and adorn the premises.

Now are we so much behind our Northern friends, in such things? Will we acknowledge not only to them but to the world, that we have no taste for the refined and beautiful, and no disposition to keep pace with the times. No, gentle-

men, I protest against this, and recommend that the State put into the hands of the Board of Supervisors the necessary funds to carry out this improvement, as I feel well assured that money cannot be better expended. Every consideration of beauty and cheerfulness that surrounds the private dwelling should adorn the Asylum for the Insane. Some may argue that these things are of no special importance as they possess no curative powers. This I emphatically deny, and call all persons skilled in such matters to my support, and they will tell you that everything cheerful and beautiful is essential, as it cultivates moral sentiment and settles the mind on something grand, sublime and majestic, instead of permitting it to dwell on some vain hallucination or frivolous and imaginary superstition. Cure your patients and return them to their friends, through mild and gentle means and the proper surroundings, instead of having them, as many are now, kept in jails and poorhouses, and by incompetent men pronounced incurable.

In my remarks it must not be inferred that I am finding fault with, or making suggestions to, Dr. Grissom, the Superintendent. He has done all he could with the means at his command. I feel confident if those in authority would take the proper view of the matter, and place at the disposal of the Board of Supervisors the necessary means, no appropriation could be more judiciously expended and reflect more credit on our good old State.

All of which is very respectfully submitted, by

Yours most respectfully,

G. W. BLACKNALL.

NO. VII.

REPORT OF PENITENTIARY.

BOARD OF COMMISSIONERS:

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 ALFRED HOWE.

OFFICERS:

WM. H. THOMPSON,.....DEPUTY WARDEN.
M. GRAUSMAN,.....STEWARD.
JOHN BOBINSON,.....CLERK.
LEVI T. SCHOFIELD,.....ARCHITECT.
W. J. HICKS,.....ASSISTANT ARCHITECT.
JOHN ROSEMOND,.....SERGEANT OF GUARD.

NUMBER OF PRISONERS CONFINED IN PENITENTIARY WITH CAUSES OF CONFINEMENT.

CRIMES.	PERIOD OF CONFINEMENT.	White Males.	COLORED.		Total.	AGE OF PRISONERS.	
			MALE.	FEM.		AGE.	NO.
Murder,.....	For life,....	1	3		4	14	2
Burglary,.....	30 years,		1		1	15	3
Burglary,.....	20 "		4		4	16	2
Arson,.....	20 "		1	2	3	17	4
Arson,.....	5 "	1	2		3	18	6
Arson and burglary,...	10 "		2		2	19	8
Manslaughter,.....	10 "	1	3		4	20	11
Manslaughter,.....	4 1-2 "	1			1	21	10
Murder & manslaughter,	5 "		3		3	22	11
Robbery,.....	20 "	2	2		4	23	6
Robbery,.....	10 "	3	2		5	24	7
Robbery,.....	5 "	2	1		3	25	9
Robbery,.....	4 "	1			1	27	3
Robbery,.....	2 "	1	2		3	28	2
Robbery,.....	1 1-2 "		1		1	29	4
Rape & attemp'd rape,	10 "		3		3	30	4
" " " "	5 "		5		5	31	2
Horse stealing,.....	10 "	1	3		4	32	1
Horse stealing,.....	7 "	1			1	33	2
Horse stealing,....	5 "	3	3		6	34	1
Larceny, <i>et al.</i> ,.....	10 "	1			1	35	5
Larceny,.....	5 "	1	1	1	3	39	2
Larceny,.....	4 "		1		1	41	1
Larceny,.....	3 "	2	4		6	45	2
Larceny,.....	2 "	3	6		9	47	2
Larceny,.....	1 1-2 "		4		4	49	2
Larceny,.....	1 5-12 "		1		1	50	1
Larceny,.....	1 "	3	24		27	51	1
Larceny,.....	5-6 "	1	1		2	52	1
Felonious slaying,....	3 "		1		1	54	1
Malicious mischief,....	3 "	1			1	55	2
Forgery,.....	2 "	1			1	66	1
Assault and battery,...	2 "	1			1	75	1
Conspiring to kill,.....	3-4 "		2		2		
Total,.....		32	86	3	121		121

Thirty-eight of the prisoners can read; twenty-five can read and write; twenty-one used to get drunk occasionally; fifty-five were moderate drinkers, and forty-nine never drank at all. There are ninety-five natives of North Carolina, and twenty-six natives of other States.

INSANE ASYLUM OF NORTH CAROLINA.

BOARD OF SUPERVISORS.

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Hon. J. W. HOLDEN,
JEFFERSON FISHER, Esq.,
Hon. C. L. HARRIS,
R. W. LASSITER, Esq.,
Rev. G. W. BRODIE.

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F. T. FULLER, M. D., Assistant Physician,
E. A. WHITAKER, Steward,
MRS. MARY A. LAWRENCE, Matron,
JOHN F. CURFMAN, Engineer.

TABLE X.—(Continued.)

COUNTIES.	Insane in prison.			Insane in poorhouse.						Insane in private families.						Total in same in prison.		Total in same in poorhouse.		Total insane in private families.		Total idiotic in poor-house.		Total idiotic in private families.		Total No. of insane.		Total No. of idiotic.	
	White Males.	White Females.	Colored Males.	White Males.	White Females.	Colored Males.	Colored Females.	White Males.	White Females.	Colored Males.	Colored Females.	White Males.	White Females.	Colored Males.	Colored Females.	White.	Colored.	White.	Colored.	White.	Colored.	White.	Colored.	White.	Colored.	White.	Colored.	White.	Colored.
Martin,	1		1		3	1	3									1	1					4	3			2	1	4	3
McDowell,																										2	1	4	3
Mecklenburg,																										2	1	4	3
Mitchell,																										2	1	4	3
Montgomery,																										2	1	4	3
Moore,																										2	1	4	3
Nash,																										2	1	4	3
New Hanover,																										2	1	4	3
Northampton,																										2	1	4	3
Onslow,																										2	1	4	3
Orange,																										2	1	4	3
Pasquotank,																										2	1	4	3
Perquimans,																										2	1	4	3
Person,																										2	1	4	3
Pitt,																										2	1	4	3
Polk,																										2	1	4	3
Randolph,																										2	1	4	3
Richmond,																										2	1	4	3
Robeson,																										2	1	4	3

N. C. INSTITUTION FOR THE DEAF AND DUMB AND THE BLIND.

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Mrs. E. A. GORMAN, Matron.

Mrs. V. C. AYER, Assistant Matron.

Mrs. M. HARRISON, Matron Colored Department.

— — — — —, Foreman of Printing Office.

JOSEPH WATSON, Foreman of Shoe Shop.

HENRY GORMAN, Foreman of Cabinet Shop.

DAVID C. DUDLEY, Jr., Foreman of Broom Shop.

APPENDIX,

CONTAINING REPORTS OF COUNTIES SENT IN SINCE FEBRUARY
10TH, 1870.

ASHE COUNTY.

POORHOUSE.

There is no poorhouse in the county; the poor are taken care of by contract, which is awarded to the lowest bidder.

PRISON.

Is built of brick, and is 30x40 feet. It is two stories high, and has four rooms and cells. Size of rooms of which there are three, 14x28—of cell 12x14. Ten windows in building $2\frac{1}{2}$ x5; five of them have grates. A fire place is used for heating. The prisoners are not subject to a great deal of suffering in cold weated; they have four blankets each. Males and females confined separate. Fresh drinking water furnished five times a day. Excrement is carried off by means of pipe and ditch. No prisoners at present in confinement.

BUNCOMBE COUNTY.

POORHOUSE.

There is no poorhouse in the county, but about forty-five persons are taken care of at the county's expense, of whom the average weekly cost of maintenance is one dollar. There

were fifty-two supported by the county July 1st, 1868. There have been admitted since that time six others. There have been eight deaths and five discharges since that time.

PRISON.

Is built of brick, and covered with shingles. Its size is 30x46 feet. It has three stories and three rooms. One of the rooms is 16x30 feet, and eight feet high, having in it an iron cage 12x24. The other two rooms are 13x15. The size of the windows in the building is 3x4½ feet. There are five in the largest room and two each in the others. The building is heated by a stove. Prisoners are not subject to any suffering from cold. One blanket is furnished to each prisoner. No females in prison. Fresh drinking water is given 3 or 4 times a day. The prisoners have as much to eat as they desire. No punishment inflicted on prisoners except handcuffing them to prevent their escape. Scouring and white washing are resorted to, to preserve cleanliness in the prison, the excrement being carried off in buckets. There are eight male prisoners in confinement—four white and four colored. Their ages are as follows: One nineteen years, one twenty-five, one twenty-six, two twenty-eight, two thirty, and one fifty-five. The cause of confinement of one, is failing to appear as witness; of another, failing to pay fine and costs, the third, for larceny; the fourth for arson and murder; the fifth for horse stealing; sixth, for assault and battery with intent to kill; seventh, for burglary; and the eighth for arson and burglary.

BURKE COUNTY.

PRISON.

Is built of brick, and is 40x30 feet. It is three stories high, and has three rooms 24x20. Four windows in each of two rooms, and two in the other—size 6x3 feet. A small fire place

is the arrangement for heating the building. The prisoners are not subjected to very much suffering from cold. The two prisoners in confinement have nine blankets between them. Fresh drinking water is furnished once a day in winter and three times a day in summer. One pound of meat and one pound of bread is the daily allowance of food. The prison is cleaned out once per day. Two colored male prisoners in confinement, aged respectively twenty-one and thirty-nine years. First committed for larceny, second for murder.

COLUMBUS COUNTY.

POORHOUSE.

The poorhouse is situated five miles from the county seat, and consists of four buildings as follows: One framed building 42 feet long with two rooms, one log building 20x16 feet with one room, one log building with clay chimney, and a framed warehouse 10x12 feet. Water is supplied by well. The buildings are heated by fireplaces. No specified allowance of food; in last report eighteen pounds of pork was allowed each inmate per month. Seven dollars and fifty cents is the average weekly cost of each inmate. The premises are in good condition, the houses conveniently arranged. About sixty acres of poor piney land belong to the poorhouse tract of which three acres are in cultivation. Sweet and Irish potatoes, corn and garden vegetables are raised. Ashes and manures used on garden. Mrs. Sarah A. Cook, overseer. Salary \$200 per year. No physician needed for more than a year. Twenty inmates can be accommodated with the present arrangement. Three are in charge at present. One able to work, the other two helpless. Five were in poorhouse, July 1st, 1868; there have been two admissions since that time, one death and two discharges.

PRISON.

Is built of brick, and is 45x35 feet. It is two stories high, and has four rooms or cells 12x12. No windows in cells, but ten windows in upper story 3x5 feet. Fireplaces are used for heating the building. Prisoners have a sufficiency of covering. Males and females confined separate. Fresh drinking water is furnished three times a day. Meat, bread and vegetables are allowed the prisoners—no particular amount. Prison cleaned out once per day, and lime applied occasionally. Excrement deposited in compost heap. Eight prisoners in confinement—six colored males, one white male and one white female. Their ages are as follows: One seventeen, one eighteen, one twenty-two, one twenty-four, one twenty-five, one thirty-four, one thirty-six and one forty. Three were committed for horse stealing, four for larceny and one for murder.

HARNETT COUNTY.

POORHOUSE.

Situated eight miles from county seat, consists of six wooden buildings, one story high, 18x20 feet. One room in each building. Water is supplied by springs, and the buildings are heated by fireplaces. Thirty cents worth of food is allowed each of the inmates daily, making the average weekly cost \$2 10 each. The buildings are in good condition, having been erected within the last four months. Four hundred and fifty acres of good land belong to the poorhouse tract, of which some will be put in cultivation during the present year. Allen B. Jones is overseer; he receives fifty cents per day for each inmate. Drs. I. A. McDougald and J. W. Atkins are the physicians. They receive the usual fees for their services. Twenty inmates can be accommodated with the present arrangement. "No inmates in poorhouse July 1st, 1868; ten

have been admitted since that time, of which several have died—causes unknown—and one has been discharged. The number of inmates at present is ten.”

PRISON.

Is built of wood, and is 28x30 feet. It is one story high, and has four rooms 13x14. Four windows in each room 3 feet by 6 inches. No arrangement for heating the building, but the prisoners have a sufficiency of blankets and bedding to keep them warm. Fresh drinking water furnished once a day. No specified allowance of food. To preserve cleanliness the excrement is carried out and the jail scoured. No prisoners at present in confinement.

JONES COUNTY.

POORHOUSE.

The poorhouse has been dispensed with, and the poor are let out to individuals. It is situated one and a half miles from the county seat, and consists of two buildings of pine lumber, 18x20. Two rooms in each house. About sixteen persons could be accommodated in the poorhouse with the present arrangement. There are thirty at present cared for by the county, and the average weekly cost of the maintenance of each is \$2. Forty acres of ordinary land belong to the poorhouse tract. Ten acres in cultivation—rented out for the benefit of the poor.

PRISON.

Is built of brick, with wood lining or ceiling. Size, 26x26 feet. It is two stories high and has four 10x10 rooms. The windows, of which there are two in passage and one in each room, are 2x2½ feet. The roof of the building has ventilators

through it. A stove is used for heating. "No specific amount of covering and bedding is furnished the prisoners, but a sufficiency for their comfort." Males and females are confined separate. Fresh drinking water is furnished twice per day. "No specific amount of food is allowed the prisoners—they eat to satisfaction." The punishment of wearing fetters was imposed on one of the prisoners for trying to break jail. The prison is swept every morning and scoured once a week. Excrement deposited in a sink a hundred feet from prison. Three colored male prisoners in confinement, aged as follows: One twenty, one twenty-four, and one thirty-seven years. The first committed for stealing cattle, the second for highway robbery, and the third for rape.

MACON COUNTY.

POORHOUSE.

There is no poorhouse in the county; the poor are let out at auction to the lowest bidder. Seven white and three colored persons are cared for by the county. The average weekly cost of the maintenance of the whites is \$1 07, that of the colored is \$1 27.

PRISON.

The prison is built of brick, and is 28x38 feet. It is two stories high, and has two rooms and an iron cage. Size of rooms, 10x12. The cage is 8x16, and is in a room 12x28—making two apartments of the one room. Two windows to each of the small rooms, and four in the large one, also two in passage—size, 3x5. Fireplaces are used for heating the building. "The prisoners are subject to very much suffering from cold, but they have a sufficiency of bedding and covering to keep them warm." Males and females confined separate. Fresh drinking water furnished three times per day. Amount

of food furnished prisoners is according to statute of State regarding it. Jailor keeps rooms clean and removes excrement. One colored male prisoner in confinement, for larceny, aged eighteen years.

ORANGE COUNTY.

POORHOUSE.

The poorhouse which has been in operation for the past forty-five years, is five miles from the county seat and consists of two brick buildings one story high and one hundred feet long. Six rooms in each. A supply of water is gotten from well and pump in yard. Fireplaces are used for warming the buildings; one quart of meal or flour, one-fourth pound of bacon or pork, one gill of molasses, one pint of coffee and one pint of milk is the allowance of food; one dollar and twenty-five cents the average weekly cost of the maintenance of each. The buildings are well arranged, neat and in good condition. Four hundred acres of poor quality land belong to the poorhouse tract, of which seventy five acres are in cultivation. Corn, wheat, oats, hay and cotton, and the different vegetables are raised and used for the support of inmates. Ashes and manures used in improving land. James M. Bain, overseer. Salary \$175 per annum. Dr. Edmund Strudwick, physician. Salary \$75 per annum. Fifty or sixty inmates could be accommodated with the present arrangement. There were eighteen inmates in the poorhouse on July 1st, 1868—thirty-three admissions since. There have been ten deaths since that time. Number in poorhouse at present, forty-one, of which ten are able to do light work.

PRISON.

Is built of wood and stone, and is 45x24 feet. It is two stories high and has two cells above and two rooms below, size

of cells 10x10, of rooms 19x16. Two windows in each room two feet four inches by four feet. The building is heated by stoves and fire places. Two blankets and a straw bed are furnished each prisoner. Males and females are confined separate. Fresh water is furnished three times per day, and the prisoners have as much to eat as they wish. The jail is swept daily. Excrement is removed in buckets. There are sixteen prisoners in confinement aged as follows: One seventeen, five eighteen, three twenty-three, two twenty-five, one twenty-eight, two thirty-one, one thirty-three, and one forty-nine,—eleven colored males, three colored females and two white males. Five were committed for murder, eight for larceny, one for horse-stealing, one for barn burning and one for debt.

RUTHERFORD COUNTY.

POORHOUSE.

Situated five miles from the county seat and consists of six framed buildings size as follows: keeper's house 40x20, with three rooms, three houses for the accommodation of inmates 30x20 and two others 25x20. The whole five have two rooms each. Water is gotten from a spring, and the heating is by fire places. No specified allowance of food. The buildings are well arranged, neat and in good condition. One hundred acres of common land belong to the poorhouse tract. Corn, potatoes, cabbage, turnips, &c., raised—used by keeper. Ashes and manures used in improving land. D. D. Allen, keeper. Salary twenty-eight dollars for each one per year. Dr. J. W. Harris, physician. Salary forty dollars per year. From thirty to forty inmates can be accommodated with the present arrangement. Twenty are in charge, of which three can work. Twenty-five were in the poorhouse, July 1st, 1868—have been six admissions since. Two deaths and eight dismissions since that time.

PRISON.

Is built of brick, and is 40x30 feet. Three stories high, and has three rooms for prisoners, two of which are 15x15, the other 15x30 feet. Two windows in each of the smaller rooms and four in the other—size four by five feet. Fire places are used for heating the building. When the weather is very cold the prisoners are subjected to suffering on account of it. A straw bed and two blankets are furnished each prisoner. Males and females are confined separate. Fresh drinking water furnished twice or three times per day. The prisoners have as much to eat as they wish of bread and meat with vegetables. Excrement carried out every morning. One white male, and four colored male prisoners in confinement, age as follows; two nineteen years, one twenty-two, one thirty, and one forty-five. Four of them committed for larceny and the other for rocking a house.

STOKES COUNTY.

POORHOUSE.

The poorhouse was burnt some time ago, but there are two small buildings used for that purpose at present of the following description: one house 20x20 feet, one story high with two rooms, the other 18x20, one story high and one room. Water is supplied from a spring. The buildings are heated by fire-places, one-fourth pound of meat and a quart of meal is the daily allowance of food to each. \$1.50 is the average weekly cost of each inmate. Two hundred acres of exceedingly poor land belong to the poorhouse tract—nothing is raised on it. Peter Smith is overseer. Salary seventy-five dollars per year for each inmate. Dr. W. W. McCanless, physician—he is paid according to services rendered. With the present arrangement ten inmates can be accommodated. Nine were in charge

July 1st, 1868; there have been two deaths since that time. Number at present in poor house, seven. No account kept of admissions and discharges.

PRISON.

Built of wood, and is 24x36 feet. It is two stories high, and has four cells for prisoners, 12x12. One window, three by six feet to each cell. No arrangement for heating the building in winter, yet the prisoners, having a sufficiency of covering, are not subject to much suffering from cold. Males and females are confined separate. Fresh drinking water is furnished from 3 to 6 times per day, and the prisoners have as much as they wish to eat. The prison kept clean by scouring and the excrement removed by Jailor. Six prisoners in confinement—four colored males, one white male and one colored female. Their ages are as follows:—one twenty, one twenty-one, one twenty-eight, two thirty, and one thirty-five. Four were committed for larceny, one for murder, and one for adultery.

WILKES COUNTY.

POORHOUSE.

Located two and one-half miles from county seat, consists of five double buildings eighteen by twenty-feet, built of hewn logs. There are four rooms to each house. A supply of water is gotten from a spring and branch. Fire places are used for heating purposes, one and three-fourth pounds of bread and one-fourth pound of bacon and vegetables is the daily allowance of food. The average weekly cost of the maintenance of each pauper is eighty-five cents. The buildings are well arranged, and in good condition. One hundred and seventy-three acres of second quality land belong to the poorhouse tract, ten are in cultivation. Not more than twenty-five bushels of grain have been raised in any year. This together with

vegetables raised for the purpose is used by the inmates. Buildings well shaded. Ashes and manures used in improving the land. The punishment of chaining and whipping inflicted on Catherine Leach, colored, by J. N. Wiles, for abusing the rest of the paupers. J. N. Wiles, overseer. Salary three hundred dollars per year. Dr. R. F. Hacket, physician. He receives the regular fees for his services. Fifty inmates can be accommodated with the present arrangement; fourteen in the poor house, and fourteen outside, are at present supported by county. Ten of those in poorhouse are able to work some. Twenty-three inmates on July 1st, 1868—there have been eight admissions since. Of this number ten have been discharged and five have died.

PRISON.

Is built of brick and wood, and is 40x40 feet. The building is two stories high, and has two debtors' rooms and two cells. Size of cells, eight feet square, of debtors' rooms, 14x14. Two windows to each room fourteen inches by three feet. No means of heating the cells. Fire places in Debtors' rooms. The prisoners are subject to a great deal of suffering from cold in winter. Six blankets and a bed are furnished to every three men. The cells are used for the confinement of the male, and the debtors' rooms for the female prisoners. Fresh water furnished three times a day in summer and twice a day in winter. The prisoners have two meals per day. No punishment inflicted except the chaining of the prisoners in the cells for trying to escape, &c. The jail is swept and the excrement carried off daily. There are three male prisoners in confinement—two colored and one white. Their ages are respectively twenty-two, twenty-eight and twenty-nine. Two of them were committed for larceny, the other for crime against nature.

REPORT OF SENATE COMMITTEE TO INVESTIGATE AFFAIRS OF PENITENTIARY.

The Committee appointed by Senate resolution, ratified ———, respectfully present their report :

The Committee met on the 4th of March, and determined 1st, to examine and audit the accounts of the Penitentiary Commissioners to the 19th day of February, 1870 ; 2d, to look into the manner in which the contract was entered into between the Penitentiary Commissioners and Major Schofield, architect, to furnish plans and specifications ; 3rd, the matter of an extra clerk, which it was alleged was employed ; 4th, to examine by personal inspection " site," " quarry," " buildings " and general condition of prisoners' quarters, &c.; 5th, to examine into the government and discipline as adopted by the Penitentiary Commissioners ; 6th pay of officers.

Without taking further action, adjourned to meet on the 5th instant, at the office of the Commissioners on the grounds of Penitentiary site.

Fifth of March, met as per adjournment, and after viewing books and papers, adjourned until 10th instant, to allow the Commissioners time to file and brief vouchers and post ledgers.

Tenth instant, Committee met as per adjournment and proceeded to examine vouchers and audit accounts. Each voucher was carefully compared with entries on ledger and journal, also all pay rolls ; as also their bank account, with amounts drawn from the State Treasurer, all of which were found to

be correct. Below is statement of amount received from the State and its disbursements.

RECEIPTS.

Drawn from State Treasurer,.....	\$46,000 00
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DISBURSEMENTS.

Construction of Stockade and temporary build- ings, payment Officers and Guard,.....	\$30,861 00
Supplies, including hardware and sustenance of prisoners,.....	10,664 50
Expenses of Penitentiary Commissioners, inclu- ding expenses of members traveling North, visiting Penitentiaries,.....	1,731 81
Cash on hand,.....	2,743 05
	<hr/>
	\$46,000 36

In the matter of contract between Major Schofield, Architect, and the Penitentiary Commissioners on Plans and Specifications, Mr. Harrison, a member of the Committee, was called upon and testified as follows:

Question by Mr. Cook: By what method did the Penitentiary Commission determine their plan of constructing the Penitentiary?

Answer. We sought out and found an Architect who could give us plans and specifications, combining with economy all the modern plans and improvements.

Question. Who did you employ?

Answer. Major Levi S. Schofield, of Cleveland, Ohio.

Question. What sum did your Commission agree to pay Major Schofield for drawing Plans and Specifications, and making all estimates, present and future?

Answer. Forty-five hundred dollars. In addition to this he is to receive for superintending construction, when his ser-

vices are required, \$10 00 per day, and necessary expenses for traveling to and from his place of residence.

Question. Did you correspond with any other Architect than Major Schofield?

Answer. We did not.

Question. What is your opinion as to the amount your Commissioners agreed to pay Major Schofield?

Answer. I do not consider the amount very extravagant, considering the amount of work he will have to do.

Question. Upon what do you base your judgment?

Answer. Upon the amount paid for Plans and Specification in the construction of the State House.

Question. State the estimated cost of constructing the Penitentiary, as determined by the Commissioners.

Answer. We estimate that it will cost, exclusive of workshops, six hundred and seventy-eight thousand dollars.

Mr. Applegate, Architect and Builder, called, examined by Mr. Jones.

Question. What is your business?

Answer. I am an Architect and Builder.

Question. What are your charges for Plans and Specifications?

Answer. When the building is small we charge five per cent.

Question. What would you consider a fair compensation for furnishing Plans and Specifications and estimates for the construction of the North Carolina Penitentiary?

Answer. I would have taken the contract for \$5,000 if I had had the opportunity to compete, without any extra charges, *i. e.*, this would have included superintending construction and all charges.

Question. What do you consider a fair compensation for superintending the construction of such a building as the North Carolina Penitentiary?

Answer. Five dollars per day.

The Committee endeavored, through corresponding with a

leading Architect in the city of New York, to ascertain the usual rates of compensation ; as yet have received no information.

EXTRA CLERKS.

The attention of the Committee was called to clerks employed by the Penitentiary Commissioners.

Mr. Harrison, member of the Commission, was called and examined by Mr. Jones.

Question. How many clerks are employed in the Penitentiary ?

Answer. Only one.

Question. Could you dispense with his services ?

Answer. Suppose we could if we required the Steward to perform the duty in addition to other duties.

The allegation was that the Commissioners employed an extra clerk, which might be dispensed with, but the facts would not bear out the statement.

INSPECTION OF PRISONERS, &C.

The Committee made an inspection of the site, buildings, prisoners and guard. The site contains (22) twenty-two acres, one rod and fifteen poles, and is surrounded by blockade of poles set in the ground, and for temporary purposes for which it was intended, very satisfactory. The Quarry, being outside the stockade, was not visited by the Committee, specimens of the rock, however, were exhibited, which were of a superior quality.

The number of prisoners at present confined in the Penitentiary are (132) one hundred and thirty-two. The cells are constructed of logs, each cell containing ten prisoners. The cleanliness of the cells and prisoners is undoubtedly owing to the rigid sanitary measures enforced by the rules of the Commissioners. The buildings consists of a few temporary outhouses, with rough cells to accommodate.

The guard consists of one Sergeant and twenty-four men, armed with muskets and side-arms. The men look clean and neat, but there does not appear to be any discipline by which they could make a combined resistance in case of an outbreak.

The Committee submit the rules of government and discipline as submitted by the Penitentiary Commissioners, which goes into all the necessary details :

OFFICERS.

The officers of the prison shall be a Warden, Deputy Warden, Clerk, Physician, Superintendent of the hospital, Steward, Sergeant of the Guard, Guards, Overseers, Gate-keepers and overseer of the yard, for the present; and when further provisions can be made, a Chaplain, Teachers, Matron and her assistants.

WARDEN—DUTIES.

For the time during the erection of the prison, the Commission will discharge the duties usually belonging to a Warden. They will see that all the laws are carried out relating to the prison and the convicts, attend to all the purchases for the use of the prison, appoint all the officers and fix their salaries, subject to the General Assembly, have the entire control and management of the convicts, control their labor, and make a report annually to the General Assembly of all their acts; the value of the convict labor, the cost of the convicts to the State, their condition, numbers, etc.

DEPUTY WARDEN.

The Deputy Warden shall have the charge of the prisoners day and night. He must see that all the officers and employees faithfully discharge their duties. He must be present when the cells are opened and when closed. He must see that the

food of the prisoners is good, well cooked and sufficient in quantity ; examine their clothing and see that it is clean and whole ; visit the cells and see that they are clean and neat, and see that the bedding is clean, properly aired and sufficient for the season. He shall see that, if possible, all the convicts are usefully and properly employed ; that no abuses exist, and that no inhumanity is practiced by the overseers or the guard. He only, shall order punishments, and he shall only confine in dark cell, on bread and water once per day, diminish the quantity or quality of food, deprive of privileges, and in special cases use the gag, but in no case so as to injure the mind or the health of the prisoner. He shall keep a record of all the cases of punishment inflicted for any offences, and note the effect of it. He shall see that the Physician visits all the sick ; that his prescriptions are carefully followed, and that proper care is had of the sick, and appropriate diet furnished. He shall attend all the Sabbath services, and Sabbath schools, and see that the prisoners preserve order. He shall report to the Commission, all cases of official delinquency—all acts of oppression by overseers or guards. He shall have the prison record carefully kept. He shall, in the absence of a Commissioner, receive and dismiss all convicts, and in general, in their absence, have the entire management and control of the prison. He shall hear all the complaints of the prisoners, examine into them and report all cases when just cause exists to the Commissioners. He shall instruct the under officers in their duties and see that such treatment is awarded the prisoners as will tend to their reformation. He shall cause the prisoners to see that he is concerned for their welfare ; point out to them their prison duties ; assure them of the solicitude for their restoration to society.

SUPERINTENDENT OF THE PRISON BUILDING.

This office is temporary, and relates to the erection of the prison building. The Superintendent of the building shall

have the entire oversight of all the work that belongs to the erection of the Penitentiary. He shall receive and inspect all the material delivered on contract or otherwise and determine whether it meet the conditions of the contract or be such as is required. He shall allow in no case, improper or unfit material to be used. He shall also be careful that every part of the work is done according to the specifications, and in a workman-like manner, whether by contractors or by others. He shall insist that contractors for work fill all the conditions of their contracts. He shall have control of the labor of the convicts while out of their cells, and shall so dispose of it as to make it the most valuable to the State. He shall, however, not interfere with the rights of contractors when convict labor is included in a contract for work. He shall be over the overseers of the several gangs, and they shall carry out his orders as it relates to the work to be done. He shall keep a regular record of the labor done by the prisoners, and of its market value. He shall also keep a correct account of the money disbursed by him for payment of small accounts and for transient labor. He shall generally have control of the building and carry out the design of the Architect, and the intentions of the Commission.

THE PHYSICIAN

Shall visit the prison once each day and personally examine all the sick and complaining prisoners. In cases of serious sickness he shall visit as often as needful. When sent for he shall at once repair to the prison to attend to the case—make in all cases such prescriptions as he deems necessary, and do all that in his judgment may be required. He shall always, when prisoners are brought to the prison, be present when they are cleansed, and examine them—make record of their condition of health, &c., and determine whether they be fit for labor. Whenever he shall discover that the labor, the diet, the confinement or the regimen of the prison unfavorably affects the

health of a prisoner, he shall order him to the hospital, or such change of condition as he may think^s best. He shall make strict examination into the mental condition of every prisoner, and if he finds that the discipline or confinement of the prison or any other appreciable cause accounts for any prejudicial influence on the mind that he may discover, he shall order such change as he may deem best. He shall pay strict attention to the diet, clothing, nursing, &c., of the sick, and shall report any neglect in these things or the observance of his prescriptions to the Deputy Warden or Commissioners. He shall often examine the food supplied to the prisoners, and finding any article not sound or wholesome, he shall condemn it to be removed. He shall daily visit any prisoners that may be confined in the dark cells for punishment, to learn whether such punishment is likely to affect the health of the prisoner, either of body or mind unfavorably, and if so, to order a discharge^s from the dark cell, and this order shall at once be carried out. He shall keep a book, in which he shall register the names of all the prisoners sick or complaining, who require medical treatment with disease and the prescriptions ordered. He shall make out a list of such medicines and supplies as should always be at hand in the Hospital for the Commissioners that they may provide them. He shall in all cases give careful and minute orders to the Hospital Superintendent. He shall note all cases of death, with the probable or certain cause—the age, habits, crime, &c., of the deceased, and all other matters relating to his department that may be of value to his annual report, which he shall make to the Commission.

THE CLERK.

It shall be his duty to keep all the records of the prison and make all statements, reports and certificates that may be required of him. He shall make the record required when a convict is admitted. He shall prepare certificates of delivery for Sheriffs who may bring convicts. He shall record all releases from con-

finement, whether by expiration of sentence, pardon, escape or death. He shall carefully keep all the records, reports, books, papers, etc, of his office, and allow no one to take them from his files, unless it be the Commissioners or Deputy Warden. He shall assist in making out all inventories of property, orders for supplies, and shall make himself generally useful in the business of the Prison; shall conduct distinguished visitors over the prison, as also the officials of the prisons of other States or countries and give them all proper information at his command. Keep a list of all visitors, with date of visit, and note those who pay entrance fee. He shall attend in the office in the absence of the Deputy Warden, and take charge of any business that may require present attention.

SUPERINTENDENT OF THE HOSPITAL.

He shall have the supervision of the sick room. If possible, shall have knowledge of the properties of medicines, and be able to compound the physician's prescriptions. He must sleep in the prison and be ready to attend on any imminent case and act as resident physician. He shall have control of the nurses detailed for that purpose. He shall see that the diet ordered is properly prepared for the sick. He shall closely notice all the symptoms and note changes. He shall see the sick every hour during the day from 5 o'clock, A. M., to 10 o'clock, P. M. He shall see that all proper attention is given all the patients. He shall superintend the burial of those who die; have all done decently, and carry out any orders of the Commissioners in such cases.

THE STEWARD

Shall have charge of the Kitchen, Bakery and Laundry. He shall go into the market from time to time and purchase such supplies of vegetables, etc., as may be needed and the market afford. He shall see that the prisoners' clothes are nicely washed and ironed, mended and dried. He shall per-

sonally give attention to the duties that pertain to his office, and the Deputy Warden shall detail for his service such convicts as can best be employed in his department and may be expert in cooking and washing. He shall be responsible for the food being well cooked and baked, the proper care and purity of the utensils, and for the regularity and sufficiency of the meals. He shall see that no waste is allowed of any supplies, and to this end shall carefully weigh out such quantities as are needed, and then see that they are forthcoming in proper form.

He may be consulted by the Deputy Warden and Commissioners, and in emergencies employed by them in determining the amount of supplies, and in purchasing them. He shall also take charge of the stores of food and clothing. He shall be charged with the amount of each, and shall make weekly returns of the amount of each that has been issued by him; and it shall be put to his credit. He shall keep an accurate account of all the expenses of his department to be reported to the Deputy Warden.

SERGEANT OF THE GUARD.

He shall have charge of the guard room; and all the keys of the cell-houses and gates are committed to his keeping. He shall be subordinate to the Deputy Warden and Commissioners only. He shall have control of the Guards, and he shall put them on duty so as to make their labors equal. He shall report all cases of disobedience or insubordination to the Deputy Warden or a Commissioner, if present, who shall have power to suspend any official so offending, until the meeting of the Commissioners, who shall investigate the case and take final action on it. It shall be required of the Sergeant of the Guard, that no one be permitted to enter the prison enclosure except as provided for in these rules. All the arms shall be in his care and shall be kept in the guard-house when not in use. He shall have plenty ammunition always on hand; see that

the arms are in good order, ready for use in any emergency. He must be careful to guard against all surprises, and must be at hand day and night, except when necessarily absent, and then the Deputy Warden only shall depute some one in his stead. He is to acquaint himself with the features of every convict. He shall not suffer any collection of the prisoners near the gates or guard-house. He shall pass around every hour in the night and see that the Guards are awake and on duty.

THE GUARDS

Shall be at the prison day and night, unless specially excused, and then only one at a time. They shall obey all the orders of the Sergeant. They must keep dilligent watch that no convict escapes. They are not allowed to converse with the prisoners unless as a part of their duty. When released from duty, they shall repair to the guard-house and always be ready for an emergency. They shall never leave their posts until properly relieved. The Sergeant only shall fix the time for relief, and who shall relieve the guard. They must keep their arms clean and ready for use, and it is required of them, at all hazards, to prevent the escape of prisoners. They are required to observe closely the conduct of prisoners, and all exceptional and suspicious actions. They shall not allow any one to loiter near where the prisoners are confined or at work. They shall not allow prisoners to ask themselves or others any questions. They must not be boistrous in their conduct or discuss exciting questions and never indulge in any words or conduct that might create unpleasant feelings or disturb their harmony. They shall not converse with each other while on duty, or with any one, only as it relates to their duties; nor shall they read or write or do anything that will interfere with their watchfulness. They shall not curse, abuse, ridicule, threaten or strike a convict, nor shall they use their arms unless in self-defence, to quell an insurrection, or to prevent an escape. They shall not deliver to prisoners any mes-

sage, letter or any thing else. They shall not suffer any noise in the cell houses at night after the signal to retire.

THE OVERSEERS.

Each overseer shall have charge of a fixed number of convicts while at labor. He shall lock them in their cells whenever shut up and unlock them when required, and always return the keys to the guard room. They shall each have a roll of the prisoners in their charge ; shall always be careful that every one is locked up and that all come forth when the cell houses are opened. They shall note all absent on account of sickness. If any one be missing when they come to lock or unlock the cell houses, such absence shall at once be reported to the Sergeant and Deputy Warden, and no Overseer must be relieved until all are accounted for in satisfactory manner. They must never be absent from their post unless sick. They will see that each convict labors faithfully ; does as good work as he is able with his skill ; does not damage the work or tools. They will report all cases of disobedience, abusive words, refusal to work or any other improper conduct to the Deputy Warden. They will not suffer any one to talk with the convicts except the Superintendent of the building or some superior officer. They shall not permit the prisoners to talk to each other except in their work while so engaged. They must not talk with prisoners only to instruct them. All their intercourse with the convicts must be manly and determined, yet gentlemanly and kind. No offensive words or gestures will be allowed. No overseer shall curse, threaten, insult or strike a convict, and shall never use their arms except to defend themselves from violence, to save the life of one convict from the fury of another, or to prevent an escape. They are to observe the conduct of the convicts and report any thing unusual or suspicious they may notice to the Deputy Warden. They will see that the prisoners in their charge are properly cared for as to food, clothes, medical attendance, bed and bathing. They will march them in order and quiet to and from their

work ; will never allow any disorder or irregularity going to or from work or meals.

GATE KEEPERS.

Each gate shall have a keeper to open and close it. No visitors, strangers or person not an officer, shall enter or leave by any gate but through the guard room. The other gate keepers shall only open their gates for the ingress of convicts and persons bringing materials for the building and stores, etc., and for the return of such vehicles and their drivers. The gates shall never be opened when convicts are near, nor until ordered by the Superintendent of the building or the Deputy Warden. The gates shall not be opened longer than necessary, and forthwith closed and locked. At the hour when the business of the day ends, the keepers shall return their keys to the Sergeant at the guard room and not receive them until business hours in the morning. They shall report every noon and evening who or what passed their gate during the half day.

THE YARD OVERSEER

Shall have the oversight of the enclosure within the stockade. He shall not allow any filth or garbage to accumulate on it. He shall see that each prisoner dumps his night bucket at the proper place ; that they are cleaned and returned to the cell-houses with gypsum sprinkled over the bottoms. He shall see that the material used in building, when provided by the State, is carefully piled up and defended from weather and waste. He shall see that no material of any kind is placed near the stockade wall. He will remove all tools not used and that might aid in escape, see that no ropes, axes, etc., are left accessible at night, and place all such things under lock and key. He will, every day, examine all the shops and store-houses, and see that the locks are safe, and that no attempt has been made to force them. He will every day, either alone or with

the Deputy Warden, examine every cell-house, carefully scrutinize every part of it, especially the doors and locks, in order to detect any attempt to escape. He shall also examine the beds, that they are clean and neatly made up, and that no filth is found in the houses. Should he discover vermin or anything unhealthy about the cell-houses he will report it to the Deputy Warden. Every night, two hours after the convicts are locked up, he will pass over the yard to see that all fires about the engine and kitchen or elsewhere are safely guarded against; should he discover anything amiss, or suspect mischief on hand, he will report to the officer in the Guard Room.

PRISONERS.

1. Every convict conveyed by the Sheriff or his Deputy of the county where sentenced, shall be delivered to the Deputy Warden; or in case of his absence, to one of the Commissioners only, at the prison; and no receipt for their delivery except signed by either of them, shall be valid for the discharge of the Sheriff.

2. In all cases of the delivery of convicts, the Sheriff or his deputy shall present to the Deputy Warden or the Commissioner, a certified transcript of the records of the county from the Superior Court Clerk, giving the name, the crime of which convicted, and the term for which sentenced; which, together with the prisoner's age, place of birth, degree of education, moral habits and the date from which the sentence runs, shall be recorded by the clerk in a book kept for that purpose.

3. The delivery of a convict shall forthwith be notified to the Physician of the prison, who shall examine the state of the convict's health and make a record of it, and on his judgment, shall be assigned to the hospital, the cell or to labor.

4. The convicts shall, before being put in a cell, or allowed to associate with other prisoners, be stripped of their clothing in the presence of the Deputy Warden or Matron, if females,

thoroughly washed, cleaned, hair dressed, and then clothed with the prison suit.

5. The convict shall then be examined by the Clerk and Deputy Warden in the presence of as many of the overseers and guards as conveniently can be present, in order to their becoming acquainted with the convict's person, countenance, name, height, apparent or alleged age, place of nativity, trade, complexion, color of hair and eyes, length of the feet, (to be accurately measured) together with such other natural or accidental marks or peculiarity of features or appearance as shall serve to identify such convict; and these shall all be recorded in a book kept for that purpose; and if the convict can write, subscribe it with his or her name.

6. All the effects of the person of the convict as well as the clothes, shall be taken from the convict, specially mentioned, and preserved under the care of the Deputy Warden, to be restored on the discharge of each prisoner, unless the clothing be worthless and filthy, when it shall be destroyed.

7. The clothing of a male convict shall be a jacket and trowsers of heavy gray cloth or other warm stuff for winter, and of lighter goods for summer—with drawers and undershirt in winter, and two changes of linen each week; two pair socks and stout brogan shoes; a neat, light cloth cap, two handkerchiefs—all to be marked with the number of the convict's cell or name.

8. No prisoner shall receive in the way of food or clothing but the prisoner's allowance except in the hospital, and then only on the order of the Physician. Relatives or friends will not be allowed to introduce anything of this kind.

9. No tobacco in any form, or wine, or spirituous or intoxicating fermented liquors shall be allowed or used by the convicts unless by order of the Physician, and any one who shall supply them with it shall be forbidden access to the prison, or if any officer, guard or overseer do so, he shall be dismissed.

10. The clothing of the female convicts shall be a linsey jacket, one quilted and one woolen skirt, one striped cotton

trunk, stockings, shoes, under garments, handkerchiefs, comb, and brush.

11. Every convict for two days may be confined in the cells, where the Chaplain, Deputy Warden or one of the Commissioners shall visit them, assure them of interest in their welfare; explain the object of their incarceration, urge upon them motives to reform; explain their duties as prisoners; read to them the prison regulations and perform such other acts as will serve to win the confidence of the convict and inspire them with hope for the future.

12. The prisoners must obey all orders promptly and without questioning, labor steadily and faithfully, and observe all the rules respecting silence.

13. They are only allowed to speak to the overseers respecting their work, to the officers in regard to their wants, and always respectfully.

14. They shall not speak to persons who do not belong to the institution, nor receive from such persons any letter, paper or anything, or to leave their work under any pretense, without permission of the overseer.

15. Such prisoners as behave to the satisfaction of the officers, will be allowed, once each month, to converse with their friends in the presence of the Deputy Warden or Clerk; they will be permitted to write once a month to their friends, and to receive all letters written to them at the discretion of the Clerk or Deputy Warden.

16. The prisoners are not allowed to injure their clothes, tools, bedding, work or anything belonging to the prison, and must do their work as their skill and ability enables them.

17. Each convict must occupy the same cell every night; must take their night buckets with them; must draw the cell door to after them so that it may be locked.

18. The prisoners shall not sleep with their clothes on, and if any one becomes sick at night, they shall call the guard, who shall report to the officer on duty in the guard room at once.

When too unwell in the morning to labor, they will report to the overseer.

VISITORS.

During the erection of the Penitentiary, and before the convicts can be securely confined, and the prison regulations properly enforced, it will be necessary to limit visiting.

1. None but official visitors of the prison and such persons as have the written permission of the Commissioners shall be allowed to visit the prison.

2. The official visitors are the Governor, Lieutenant Governor, Members of the General Assembly, Judges of the Supreme and Superior Courts, Attorney General, and the Solicitors for the several Judicial Districts, the Sheriffs of the several counties, and the clergymen of the city of Raleigh having charge of congregations.

3. None but the official visitors can have any communication with the convicts, nor shall any visitor whatever be permitted to deliver to or receive from any convict any letter or message whatever, or supply them with any articles of any kind.

4. Any visitor who may discover any abuse of authority, violation of law, or any act of oppression, shall forthwith report the same to one of the Commissioners.

5. The Deputy Warden shall allow the relatives of the convicts to visit them at proper times, and they may converse freely with them, but in the presence of the Deputy Warden or Clerk, who shall see that no improper communications are made, and that nothing is passed to the convicts.

6. It shall be the duty of the Deputy Warden, in cases where officers of penal institutions or Board of State Charities may visit the prison, to permit them free access to all parts of it, to converse freely with the convicts, and to afford them all information desired and to treat them with all courtesy and kindness.

7. Such persons as are not official visitors, not representatives of other institutions, or relatives of the convicts shall pay a fee of twenty-five cents on admission, to be applied to the purchase of a Prison Library.

8. Visitors shall not be permitted to enter the prison enclosure unless accompanied by an officer or guard, and while there will be under his surveillance.

9. Visitors not official, shall have no communication with the convicts, when passing about the prison, and will conduct themselves in a quiet and orderly manner, as all loud talking, laughing, and all personal allusions to convicts by remark or gesture, is positively forbidden.

10. All visitors must enter and depart from the guard room gate.

11. On Sunday no visitors will be allowed entrance except such as teach in the Sabbath School or attend chapel service, when such may be held in the prison.

12. Any person found within the prison enclosure, contrary to or in violation of these rules, by an overseer, guard or officer, will be arrested and ejected from the premises.

DAILY ROUTINE.

1. The officer on duty at the guard room will ring the bell at 5 o'clock, A. M., in the Summer, and at 6 o'clock, A. M., in the Winter, as a signal for all the prisoners to rise, dress, wash and make up their beds, etc., and that all the overseers and guards off duty may assemble at the guard room.

2. After sufficient time for these purposes, the guard being stationed, the morning rations ready, the keepers will unlock the cells, see that all prisoners are accounted for, when they shall be marched to receive their rations and back to the cells and locked up.

3. The keepers will report their convicts ready for labor, the sick, &c., and then repair to their own breakfast, leaving only such guard as is necessary.

4. At 7 o'clock, A. M., all the well convicts will begin work and continue until 12, M. One hour will be given for dinner in Summer, and forty-five minutes in Winter, after which they will return to labor until sundown in the Winter, and 7 o'clock, P. M., in the Summer.

5. An overseer will be assigned to each gang of convicts and shall have charge of them from the time the cells are unlocked in the morning, until they are locked up at night; except when he is at meals, and shall not be relieved for the day until he has reported the safety of all his men.

6. At 9 o'clock, P. M., at a signal, all the prisoners will retire to their beds. No talking, laughing or noise will be permitted in any cell at any time, and the guard on duty will report any unusual conversation he may hear in a cell-house, whether caused by calls of any one taken sick, or any other way, at once to the officer on duty at the guard room.

GENERAL RULES.

All the rules and regulations adopted are only to ensure the safe keeping of the convicts and to enforce order and quiet subordination in the prison and the proper discharge of duty by all the officers:

1. The convicts may at all times speak to the Commissioners when visiting the prison, and the Deputy Warden may appoint stated times when any convict may have opportunity to converse freely with him about any matters relating to himself, the safety of prisoners, etc.

2. Any guard who shall sleep at his post, get drunk, bring any wine, spirituous or fermented intoxicating liquors within the prison, provoke a quarrel or otherwise behave improperly, shall at once be dismissed by the Deputy Warden.

3. No gambling shall be allowed by the convicts or any of the officials or employees of the prison.

4. No person, but those whose duty requires it, shall be

present when a convict is stripped to be examined and cleansed or when they attend to their weekly bathing.

5. The gate opening into the guard house is the only place where visitors or persons on business can enter the prison. This gate will be closed in the evening at 9 o'clock, not to be opened until 7 o'clock in the morning unless it be to call the Physician or in cases of death.

6. All the houses, &c., in the yard will be carefully kept locked.

7. No articles but those allowed by the prison rules shall be allowed to any convict or in any cell-house. This does not relate to the Hospital.

8. It is not permitted to point out prisoners to visitors or subject them to the gaze and remark of the light and curious.

9. All contractors and employees on the building shall, as far as possible, be subject to all the regulations concerning visitors.

10. Any laborers or employees on such contract, who shall tamper with the convicts shall be required to be dismissed.

11. The Keeper of the gate by which visitors and persons on business enter the enclosure shall diligently observe all persons coming in or going out and allow no one to enter who is not officially connected with the prison—a contractor or workman on the building known to him—unless he have a written permission from one of the Commission.

12. No one shall be allowed in the guard room except officers after the hour at which the convicts are locked up for the night or before the cells are opened in the morning.

13. No officer or employee of the Penitentiary shall give any information in regard to the affairs, business of the prison, the treatment, conduct, &c., of the prisoners only in the most general terms.

14. Guards, overseers and other subordinate officers must give one month's notice of their intention to leave.

15. The intercourse of the prison officers must be respectful and kind, no improper language should be used among them-

selves or before the convicts. They shall exhibit uniform equanimity of temper with determined enforcement of the regulations of the prison. A deep respect for morals and religion should mark their conduct before the prisoners. Also great and unaffected interest in their welfare and a concern for their reformation so that harmony may mark the official conduct of the prison. That its moral tone and influence of example may benefit the convicts and the great end of penal confinement shall be most successfully realized in the reformation and restoration to society and the State of many valuable citizens.

OFFICERS AND PAY.

An Assistant Architect and Superintendent of the work at \$1,800 per annum; a Deputy Warden, \$1,200 per annum; a Clerk at \$700; Physician at \$500; Steward \$800; Superintendent of Hospital \$700; Sergeant of the Guard, \$600; 24 Guard at \$365 each; 3 Overseers at \$500 each; 3 Gate Keepers at \$365 each; and one Yard Keeper at \$365.

The Committee find the Books and Papers in a very unsatisfactory state, and recommend that a suitable set of books shall be purchased, that the accounts of the Penitentiary shall be kept therein, that all bills shall be receipted for in duplicate, that a monthly statement shall be made to the Treasurer of the State on the last day in each month; accompanying such statement shall be a proper voucher with order of the Commissioners authorizing the expenditure; for each disbursement made, one voucher shall be kept on file in the office of the Commissioners. That the Penitentiary Commission dispense with the duties of the present Clerk and appoint a suitable person who shall perform the duties of the present Clerk, and shall also be Paymaster of the institution. All monies disbursed shall pass through his hands, and be accounted for upon the Books. He shall keep the books and records, and before entering

upon the duties of his office shall enter into a good and sufficient bond to the amount of dollars for the faithful disbursement of the monies placed in his hands.

The Committee recommend that so much of the Act of '68-'69 as requires the Penitentiary Commission to give bond for monies drawn from the Treasury be repealed in the event that a Paymaster is authorized as recommended above.

The Plans and Specifications will be spread upon a table in the Senate Library for the inspection of any member who desires to examine them. The artistic manner in which they are executed will bespeak for Major Schofield the appreciation he is entitled to.

The Committee add in conclusion that the Penitentiary Commission have only received their actual expenses for services performed, and the very satisfactory manner in which the duty has been performed is creditable alike to themselves and the State.

All of which is respectfully submitted,

W. B. RICHARDSON,

H. C. JONES,

JNO. B. COOK.

Committee.

REPORT OF THE CODE COMMISSIONERS.

RALEIGH, March 12th, 1870.

*To the HON. TOD R. CALDWELL,**Lieutenant Governor and President of the Senate :*

SIR: The Commissioners of the Code have the honor to report to the General Assembly that they have nearly reached the end of the labors which were imposed on them by the Convention of 1868.

The constitution adopted by the people in that year made radical changes in the fundamental law in some most important particulars.

1. It abolished courts of equity, and all difference in the forms of actions.

2. It prohibited the old and introduced a new system of punishment.

3. It created a number of public officers whose duties had to be defined.

4. It required that corporations, both municipal and private, should, except in peculiar cases, be chartered by general laws.

5. It essentially altered the common law relations of husband and wife, by making all the property of the wife separate.

Such comprehensive changes in accustomed law have rarely been enacted in so short a time. Some of them at least may be justified upon the ground that a great revolution had occurred, as a result of which society stood on a new basis and required different laws from those which were appropriate to the stage which had perished. Others must stand upon their intrinsic merits. What these are it is no part of our duty to

decide; time alone can give a positive answer. For the changes made by the constitution the Commissioners are no wise responsible; we took them as accomplished facts; and our duty was as skillfully and as prudently as we could to bring the law of the State into harmony with them. It was evident that until that was done, there would exist an anarchy and confusion of private rights scarcely compatible with peace and order and incompatible with public happiness or prosperity. The old system of procedure in civil actions was abolished; and until a new one was supplied, there were no means by which a private controversy could be determined, or an acknowledged right enforced; the State was practically without law.

Sensible of the danger arising from this state of things, in a very few months the Commissioners presented to the General Assembly a Code of Civil Procedure which met your sanction. It was, we humbly conceive, the best that could have been framed in obedience to the constitution. At first this code was unacceptable to the bench and to the bar, as all changes must be, but we believe it has gained in the favor of both. For over eighteen months justice has been administered under it in civil actions without complaint. While we ourselves candidly admit its imperfections in some respects, we think its greatest enemies will admit that it has some merits over the former system. However, whatever may be the merits or demerits of the new system, all calm men must admit that a return to the old is impossible. The only resource is to improve and amend the new. We believe that duty can now be much better performed by the Courts than it is likely to be by the Legislature, and therefore, with the exceptions of some corrections of misprints and clerical mistakes, we have not presented to the honorable General Assembly any proposals for a substantial amendment of the Code of Civil Procedure.

As an essential complement to the changes made by the Constitution, we have presented to your honorable body at this session a Code of Crimes and Punishments. The subject

is one of great importance ; the lives of men may depend on a phrase. We have given it great consideration, but in view of its importance we do not recommend to your honorable body its adoption at the present session. We prefer that it shall await the quiet and repeated consideration of those best competent to pass on its merits.

We have also at this session submitted a Code of Criminal Procedure. Generally, it is a mere digest of the present law as shown by our statutes or decisions ; the few changes made in the present law we think important. We recommend the early passage of this most important statute. We have submitted it to the bar of the State and so far have received a criticism upon one point only, viz: the authority of the Solicitor to enter a *nol. pros.* The Solicitors desire to retain the authority. The opinion of the bench and the bar is against them, and confirms our proposition in that Code. We have therefore to ask the consideration of your honorable body to that Code, and we think we are justified in saying it meets the approval of all competent judges.

The bill which we prepared regulating the duties of the various public officers throughout the State, met your approbation and is a part of our law.

These acts, with many others, such as those concerning the settlement of the estates of deceased persons, guardian and ward, landlord and tenant, fences, draining low land, &c., prescribing just rules and convenient modes of procedure in all these important subjects, form a body of law, the enactment of which will, for at least a century to come, mark an era in our history. We may be permitted to believe that this body of law, by the certainty and economy it has introduced into the administration of justice, has saved, and will save, millions of dollars which would otherwise have been spent in unnecessary legislation, and will go far to compensate the people of North Carolina for all their losses of property in the late disastrous war. This General Assembly may appeal to those statutes as a vindication from any charges that may be made against it because of prolonged and expensive sessions.

It is said of a certain obscure and badly drawn English statute (of frauds,) that every line of it has cost the people of England a million of pounds in getting it interpreted by the courts. If this General Assembly had done nothing else but to enact those statutes, we feel at liberty to say that in our opinion, the work would have been worth the whole cost of your sessions. It will be a source of pride to you, in which we may be permitted to share, that your names are forever connected with such just and useful legislation.

But two of the great subjects embraced within our duties remain untouched ; a general corporation law, and one defining the powers of married women over their separate property. Besides that the Constitution positively commands the first, its necessity is obvious. Much of the time of the General Assembly at every session is occupied, at vast expense to the people, in considering special acts relating to private or other corporations, which would be saved by a general act. As to the second subject, probably few have as yet realized the dangerous uncertainty and confusion of the law at present affecting it. No one can say, with certainty, what contracts a wife may or may not make, nor how far her husband may be bound by her acts. We propose to present, for your consideration at your next meeting, bills on these two important subjects. We shall also have ready then, to submit to you, the complete compilation of all the laws respecting internal improvements, in which the State has an interest, which we were directed to prepare by a resolution passed at your last session, but which, unfortunately, did not come to our knowledge until too late to prepare it for your present session. We shall also submit to you, at that time, a codification of the whole statute law of the State, arranged in convenient form for reference, and making a single volume about the size of the Revised Code. When this shall be done our labors will have finished.

We remain, very respectfully,

Your obedient servants,

WILL. B. RODMAN,
V. C. BARRINGER,
A. W. TOURGEE.

Ordered to be Printed.

MESSAGE FROM THE GOVERNOR IN RELATION
TO DETECTIVE FORCE.

EXECUTIVE DEPARTMENT OF N. C.

RALEIGH, February 23d, 1870.

To the Honorable TOD R. CALDWELL,
President of the Senate of North Carolina:

SIR:—I have the honor, in reply to Senate resolution of the eleventh instant, entitled a “Resolution concerning the detective force,” to submit the following statement to the Senate:

The whole number of detectives employed is thirteen, not including assistants temporarily employed in making arrests. The entire sum paid such detectives, including sums now due, is, for services, \$2,384; for traveling expenses and assistants, \$4,234.41, making \$6,618.41.

The number of detectives now employed is two. The highest monthly pay of any detective is \$50 and traveling expenses, and necessary assistants in making arrests. The expenses of detectives does not include the costs of sending the militia to Alamance last spring. This amount is \$529, and comes under the militia act. Detectives have been employed principally in localities where the civil officers were unable to enforce the law, and where assistance of this kind was needed. Forty-two persons, accused of felony, have been arrested. True bills of indictment have been found against ten persons for murder,

and twenty-one for being accessory to murder, or other felonies. Several notorious outlaws are reported as still lurking about, to the terror of good citizens. The employment of detectives was a necessity which could not be disregarded. The peace of society in certain localities required it. I am gratified to be able to state that this necessity has, to a great extent, ceased. The great body of the people of the State are anxious for the preservation of law and order. I sincerely trust that in the future, public opinion and the civil law will afford an ample remedy for acts of violence, and will restrain that disposition which has been apparent in some localities to disregard and trample on the rights of the weak and the inoffensive. It is not my wish either to employ the detectives or to resort to military power in order to enforce the laws, or to protect any portion of the people against acts of violence. But the law must be enforced. The people of all classes, all parties and all colors must be protected in their houses and in their employments. No man must be punished or even questioned on account of his opinions, but the law must be over all, and must decide impartially between all alike. When public opinion shall command and enforce this state of things in every neighborhood in the State, we shall have peace, harmony and good feeling among all our people; and I am sure that the General Assembly of the State, and the good people of the State generally, will concur with me in this opinion. I acknowledge the right of the Senate and of the House of Representatives to interrogate me fully and freely in relation to this and all other matters; and I am anxious now, as heretofore, to unite with the General Assembly in such measures as may be best calculated to promote peace and good will among all our people.

I have the honor to be,

With great respect,

Your obedient servant,

W. W. HOLDEN,

Governor.

Ordered to be Printed.

EXECUTIVE DEPARTMENT OF N. C.,
RALEIGH, March 19th, 1870.

To the Honorable the General Assembly of North Carolina :

GENTLEMEN :—I have the honor herewith to lay before you a communication from the State Treasurer, to which I respectfully invite your attention.

Your attention is particularly called to that part of the communication which refers to the public revenue.

I have the honor to be,

With great respect,

Your obedient servant,

W. W. HOLDEN,

Governor.

STATE OF NORTH CAROLINA,
TREASURY DEPARTMENT,
Raleigh, March 19th, 1870.

To the Honorable the General Assembly of North Carolina :

GENTLEMEN :—I beg leave to call your attention to the fact that in compliance with the provisions of the revenue laws, the franchises of the Raleigh & Gaston and Wilmington & Weldon Railroad Companies were duly assessed for taxation.

These Companies resisted the imposition of the taxes, claiming exemption by reason of certain provisions in their charters. Appeal being taken to the Supreme Court of this State, I thought it best that this department should be represented before that tribunal. The Supreme Court sustained the law, declaring the tax to be legal, from which decision the Companies declare their intention to apply for a writ of error, to have the same reviewed by the Supreme Court of the United States. I respectfully suggest that I be authorized to employ counsel to represent the State before that tribunal.

I have been informally notified that divers suits will be brought against me to enforce the payment of the interest payable on the "special tax" bonds out of the moneys collected for that purpose, which your honorable body has ordered me not to do. I beg leave to suggest that provision should be made for the defence of these suits in order to maintain the action of the General Assembly.

I further ask the attention of the General Assembly to the fact that, if the act already passed "that the special taxes (if it be decided that they can be legally applied for general purposes) shall be credited to the counties on the taxes for 1870" be allowed to continue in force, these taxes will be nearly exhausted by such credits. If the rates imposed in the revenue bill as passed by the House of Representatives be consented to by the Senate, there will be no surplus money in the Treasury, even if the validity of the act appropriating the special tax moneys for general purposes be sustained by the courts.

I have the honor to be, gentlemen,

With great respect,

Your obedient servant,

D. A. JENKINS,

State Treasurer.

Ordered to be Printed.

CONTINGENT EXPENSES.

EXECUTIVE DEPARTMENT,

STATE OF NORTH CAROLINA,

Raleigh, February 24, 1870.

To HON. TOD R. CALDWELL,

President of the Senate of North Carolina :

SIR : I have the honor to transmit herewith a communication from Hon. Henderson Adams, Auditor of State, with accompanying statements, in response to Senate resolutions, ratified December 13th, 1869, and February 15th, 1870, respectively.

I have the honor to be,

With great respect,

Your obedient servant,

W. W. HOLDEN,

Governor.

STATE OF NORTH CAROLINA,

AUDITOR'S OFFICE,

Raleigh, February 24, 1870.

To His Excellency, W. W. HOLDEN,
Governor of North Carolina:

SIR: I have the honor of submitting, in accordance with Senate resolutions, the accompanying statements concerning the amount of contingencies, ratified December 13th, 1869; and regarding amount of ice used in Capitol, ratified February 15th, 1870.

Most respectfully,

Your obedient servant,

H. ADAMS, *State Auditor.*

STATEMENT

OF THE AMOUNT OF ICE CONSUMED IN THE CAPITOL DURING THE
MONTHS OF JUNE, JULY, AUGUST AND SEPTEMBER, 1869, AS
PER THE FOLLOWING BILLS ITEMIZED :

Phil. Thiem, to bill for ice furnished during the months of June and July, 3,665 pounds at 3 cents per pound,	\$	128	28	
Phil. Thiem, to bill for ice furnished during the month of August, for the Supreme Court, 1,766 pounds at 3 cents,			61	81
Phil. Thiem, to bill for ice furnished during the months of August and September, 9,664 pounds at 3 cents per pound,		338	24	\$ 528 33

Audited under "An act concerning the powers and duties of State officers," ratified April 12, 1869.

H. ADAMS, *Auditor.*

1868.

Oct. 1	Paid Southern Express Company, freight on sundry packages,	\$	8 50
	Paid Henry Gorman, for 6½ days painting in Auditor's office,		16 25
	Paid John Ransom, for 7 days painting in Auditor's office,		17 50
	Paid Alex. Turner, as servant for the several departments,		45
	Paid Newbern Republican to advertising notice to sheriffs of North Carolina, and proclamation of Governor Holden and General Orders of Adjutant General,		19
	Paid H. J. Menninger, Secretary of State, for Express charges and 12 certified copies for Executive office, Public Treasurer and Attorney General,		34 10
2	Paid S. D. Harrison for 2 basins and pitchers,		5 50
	Paid H. Fendt, for 35 lbs. soap,		4 37
	Paid H. P. Buncombe, for services as waiter in State House,		22 50
	Paid Western Union Telegraph Company, for telegrams for sundry departments,		55 58
	Paid Friday Jones, for services as watchman in capitol from July 14th, to September 30,		114
	Paid Rutherford Star, for publishing general orders 1, 2 and 3, of Adjutant General,		25
3	Paid R. R. Harrison, for work done in Supreme Court room, Commons Hall and Senate Chamber,		36 50
	Paid Southern Express Company, freight on sundry packages,		26 25
	Paid Wilmington Post, for advertising duties of Superior Court Clerks,		250

1868.			
Oct. 5	Paid Estes & Co., for 70 reams of paper, and 1 roll parchment,	\$ 703	24
	Paid W. N. Edwards, for leveling and cleaning up on Baptist Grove,	37	50
	Paid Southern Express Company for packages shipped from Weldon to Franklin,	4	
	Paid A. Miller, P. M., for postage for the several departments in Capitol,	233	33
	Paid Raleigh & Gaston Railroad Company, freight on 2 packages furniture,	18	12
	Paid G. M. Lee, Treasurer North Carolina Railroad Company payment of U. S. revenue tax on one hundred and eighty thousand dollars, script of dividend received from North Carolina Railroad Company,	9,000	
	Paid Raleigh Gas Light Comp'y, for gas furnished gate lamps and State House,	44	
	Paid Southern Express Company, freight on packages,	2	75
	Paid John Armstrong, for ruling, binding and indexing 3,040 register books,	912	
	Paid Southern Express Company, for freight on sundry packages,	4	25
	Paid Raleigh & Gaston Railroad Company, freight on 2 boxes furniture,	25	78
	Paid Wm. Gant, for furnishing sleepers, taking up and relaying floor in office of Superintendent of Public Instruction,	32	82
	Paid Wm. Gant, for work done and materials furnished in the several departments,	55	25
	Paid Southern Express Company for freight on sundry packages,	2	75

1868.			
Oct. 12	Paid Southern Express Company for freight on sundry packages,	\$	4 25
13	Paid Southern Express Company for freight on sundry packages, Newbern Republican, for adver- tising duties of Superior Court Clerks,		1 75 250
	Paid Southern Express Company, freight on sundry packages,		10 75
	Paid Raleigh & Gaston Railroad Company, fr'ght on 2 packages of furniture,		17 94
	Paid Wilmington Post for adver- tising proclamation,		21
	Paid Wilmington Post for adver- tising Adjutant General's de- partment, Treasury departm't, and Superintendent of Public Works,		62
15	Paid Southern Express Company, freight on sundry packages,		2
16	Paid L. Hinton for making belt and holster for watchman in Capitol,		1 65
	Paid D. J. Pruyn for 100 cords of wood and three days work with team,		439
	Paid Southern Express Company, freight on sundry packages,		4 25
	Paid Raleigh & Gaston Railroad Company, freight on 18 bundles chairs,		14 25
	Paid Southern Express Company, freight on packages from New York,		1 25
	Paid James Gorman for 12 days painting in office of Superin- tendent of Public Instruction,		30
	Paid W. M. Robbins, for services in attendance on Penitentiary Commission,		80 90
	Paid R. W. Lassiter for services		

1868.	in attendance on Penitentiary Commission,	\$	65	90
Oct. 16	Paid J. A. Hyman for services in attendance on Penitentiary Commission,		77	10
	Paid J. H. Renfrow for services in attendance on Penitentiary Commission,		84	10
	J. H. Harris for services in attendance on Penitentiary Commission,		64	30
	Paid Hugh Downing for services in attendance on Penitentiary Commission,		179	30
	Paid W. H. & R. S. Tucker & Co., for 292½ yards carpeting, 3 dozez chairs, 7 walnut desks, 3 tables, packing trunk, oil cloths and rugs,		1,613	53
19	Paid Southern Express Company, freight on packages from New York,		1	25
20	Paid Southern Express Company, freight on packages from New York,		1	
21	Paid Southern Express Company, freight on packages from New York,		127	
22	Paid John Ransom, painting Judges stand and book case in Supreme Court Room,		7	
	Paid Southern Express Company, freight on package to N. Y.,		1	
23	Paid Southern Express Company, freight on package to N. Y.,		2	
	Paid K. B. Waitt, 35 boxes for packing books for Superior Court Clerks,		15	75
	Paid Sentinel office, advertising notice to sheriffs, &c.,		9	
24	Paid R. R. Harrison, for sewing and laying 80 yards of carpet			

1868.	in room of Superintendent of Public Instruction,	\$	15	
Oct. 26	Paid J. W. Stephens, Colonel commanding militia in Caswell county, for expenses incurred in in organizing militia in said county,		108	90
27	Paid Phil. Thiem, for 2 dozen India rubber spittoons, 1 gross matches and can of ink,		79	
28	Paid H. C. Smith, repairs on dome of capitol and roof of capitol,		300	
	Paid R. & G. R. R. Co., freight on 4 boxes paper,		17	15
	Paid American Bank Note Co., for engraving coupon plate, furnishing bonds and coupons and alteration to bond plate,		2,040	30
	Paid John Ransom, painting in sundry offices in capitol,		5	60
29	Paid Geo. R. Kimball, for distributing registration books for 26 counties,		300	
	Paid Estes & Co., for 50 reams white wove paper, including cartage and insurance,		667	16
	Paid John Armstrong, for 75 bound books and making 15 sets county dockets,		937	50
	Paid Newbern Republican, for advertising for Treasurer's, Executive and Adjutant General's departments,		82	
	Paid Geo. W. Nason, for 1 dozen drawer locks, chairs and water coolers,		130	20
30	Paid A. B. Newberry, for package of blank forms and report of Board of Internal Improvements of the State of Ohio,		10	
	Paid A. Mooney, traveling expenses in distributing registration books and oaths,		98	65

1868.			
Oct. 30	Paid Southern Express Company, freight on package,	\$	50
	Paid R. W. Lassiter, for attendance on the Penitentiary Commission,		36
31	Paid Southern Express Company, freight on package to New York,		25
	Paid Western Union Telegraph Company, for telegrams sent and received by Executive and Treasury departments,		20 47
			19,818.49
Nov. 2	Paid Friday Jones, 1 month's services as watchman at capitol,		45
	Paid Alex. Turner, for services as waiter in capitol,		22 50
3	Paid A. Miller. P. M., postage stamps for Treasury department,		10
4	Paid H. P. Buncombe, services as waiter in capitol,		22 50
5	Paid Southern Express Company, freight on package shipped to Newbern,		3 75
	Paid Estes & Co., amount of bill for stationery,		675 75
	Paid Williams & Haywood, for lead, oil and paint,		49 40
	Paid H. Mahler, for seal and press for Superior Courts sundry counties,		99 50
6	Paid S. D. Harrison, 40 pounds of candles, 6 boxes stove polish and brush,		9 90
	Paid R. R. Harrison, cutting, sewing and laying carpets in Auditors and Treasurer's offices,		23 95
	Paid R. & G. R. R. Co., freight on 11 boxes stationery,		12 82
7	N. Paige & Co., for printing registration oaths, election returns, &c.,		192 29

1868.				
Nov. 7	Paid Southern Express Company, freight on 14 boxes from Charleston and package from New York,	\$	137	25
9	Paid Southern Express Company freight on 3 boxes and package from Charleston, S. C., and Salisbury, N. C.,		23	50
	Paid D. G. Curtis, for the purchase of a tract of land for the building of a quarantine hospital,		125	
	Paid D. G. Curtis, quarantine physician for the port of Wilmington, for services from Aug. 21st, to Sept. 30th, 1868,		66	66
9	Paid D. G. Curtis, bill of expenses on quarantine boat,		90	
	D. G. Curtis, for expenses incurred on business to Wilmington,		38	25
	Paid Jas. Buncombe, for services rendered in Senate Chamber and Commons Hall,		8	
	Paid N. Paige & Co., printing for Adjutant General and Executive Departments,		96	75
	Paid Jno. A. Hyman, for services on the Penitentiary Commission,		80	60
	Paid Hugh Downing, for services on the Penitentiary Commission,		58	20
10	Paid Raleigh Gas Light Company for gas consumed in capitol and and gate lamps,		44	
	Paid Hatch & Estes, for stationery as per bill,		1,471	98
	Paid R. G. R. Co., freight on 9 bales paper,		64	23
	Paid R. W. Lassiter, 6 days' services in locating Penitentiary,		41	
11	Paid R. R. Harrison, furnishing			

1868.			
	and fixing 4 window shades in Governor's office,	\$	32 85
Nov 11	Paid Southern Express Company, freight on 6 boxes to Morganton, N. C.,		12
	Paid Nichols & Gorman, printing done for the various departments,		218 50
	Paid John Ransom, painting in office of Superintendent of Public Works,		1
	Paid K. B. Waitt, making 55 boxes for packing books in,		24 75
12	Paid Southern Express Company, freight on packages for Executive Department,		3 25
	Paid J. H. Renfrow, for attendance on Penitentiary Commission,		95
	Paid Southern Express Company, freight on bonds to New York,		25
13	Douglas Bell, 8 tons of coal, drayage and commissions included,		137 39
14	Paid Chas. Keuster, for repairing locks, making keys, &c., for sundry doors in capitol,		81 30
	Paid Southern Express Company, freight on sundry packages for Executive Department,		5 10
	Paid R. R. Harrison, laying carpets in sundry offices of capitol,		21
14	Paid K. P. Battle, expenses to Halifax county to attend to business of the State against Sheriff for unpaid taxes, &c.,		115 75
16	Paid A. Green, for repairing wheelbarrow,		2 25
	Paid W. J. Yates, advertising proclamation of Governor Holden and notice in regard to paying interest on State bonds,		57
	Paid John Armstrong, binding		

1868.	Code of Civil Procedure, dockets, &c.,	\$ 1,500	
Nov 16	Paid R. & G. R. R. Co., freight on 1 box furniture,	7	
17	D. J. Pruyn, for hauling 3,000 stand of arms, equipments, &c.,	45	
18	Paid Rutherford Star, advertising Governor's proclamation,	30	
	Paid Southern Express Company, freight on 11 boxes to Morganton, N. C.,	22	
19	Paid E. Daniels, for the purchase of a quarantine boat,	173	
	Paid G. W. Hayes, for plastering in office of Code Commissioners,	1 50	
	Paid J. B. Carpenter, Editor Rutherford Star, for advertising general orders of Adjutant General,	5 50	
20	Paid A. W. Fisher, Adjutant General, balance of expenses North in procuring arms for State,	176 04	
	Paid Asheville Pioneer for advertising proclamation of Oct. 12th, 1868,	64	
	Paid Asheville Pioneer, for publishing general orders 1, 2, 3, 6 and 8 of Adjutant General,	23 50	
	Paid Asheville Pioneer, for publishing advertisement for Public Treasurer,	7	
21	Paid Thos. Scarlett, for repairing desk in Treasury Department,	5 55	
	Paid R. R. Harrison, for ore hair cushion,	4	
	Paid Henry Hunter, for 11 days guarding arsenal,	16 50	
	Paid A. J. Jessup, for carrying registration books and oaths to Danbury, Stokes county,	8 50	
	Paid Southern Express Company, freight on packages for State Library,	2 75	

1868.				
Nov. 21	Paid John Ransom, for five days painting in office of Code Commissioners,	\$	12 50	
	Paid C. J. Rogers, Agent N. C. R. R. Co., for freight on guns, accoutrements and ammunition,		529 77	
23	Paid R. & G. R. R. Co., freight on one box furniture and one case wire fenders,		15 75	
24	Paid Southern Express Company, freight on package, Adjutant General's Department,		2 75	
25	Paid John Ransom, for two days painting in Code Commissioner's office,		5	
27	Paid R. & G. R. R. Co., freight on 3 cases hardware,		5 69	
28	Paid Southern Express Company, freight on packages for Treasury Department,		1	
30	Paid Hatch, Estes & Co., for shovels, tongs, coal grates, and irons, &c.,		152 15	
				\$7,162.24
Dec. 1	Paid J. A. Richardson, for traveling expenses for investigating the accounts of S. R. Bunting and J. W. Schenck, Jr., former and present Sheriffs of New Hanover county, by request of Public Treasurer,		14	
	Paid H. P. Buncombe, for services as waiter in capitol one month, Dec. 1, 1868,		22 50	
	Paid Friday Jones, watchman of capitol, one month, Dec. 1, 1868,		45	
	Paid Alex. Turner, waiter in capitol one month, Dec. 1, 1868,		22 50	
	Paid Southern Express Company, freight on packages for Treasury department and State Library,		2	

1868.			
Dec. 1	Paid K. B. Waitt, for making 3 boxes and one ladder,	\$	15
	Paid Western Union Telegraph Company, for telegrams sent and received during the months of October and November for Executive, Treasury and State departments,		80 78
	Paid W. H. & R. S. Tucker & Co., for 6 chairs for Supreme Court room and sundry other articles,		339 65
	Paid W. E. Pell, advertising proclamation of the Governor to electors,		14
2	Paid L. V. Blum, for printing general orders Nos. 1, 2, 6 and 8 of Adjutant General,		41
	Paid S. D. Harrison, one gross matches and 3 dozen cakes of soap,		4 75
	Paid Southern Express Company, freight on packages for State Library,		1 50
3	Paid John Ransom, for painting and setting glass in office of Secretary of State,		1
	Paid Southern Express Company, freight on packages for Treasury department,		2
	Paid Raleigh & Gaston Railroad Company, freight on 6 rolls of carpet,		10 55
5	Paid John Ransom, for putting 8 panes of glass in windows of Senate Chamber,		2
	Paid Southern Express Company, freight on sundry packages for Treasury department,		4 75
8	Paid Southern Express Company, for freight on 6 boxes to Statesville,		10 75
9	Paid Southern Express Company,		

1868.			
Dec. 9	freight on package Treasurer department,	\$	75
	Paid Southern Express Company, freight on package Treasury department, and amount of bills for cuts and engravings for letter heads, and commissions collected by said Company,		18 70
10	Paid Raleigh Gas Light Company, for gas consumed in capitol and gate lamps from November 1, to December 1, 1868,		44 80
	Paid Southern Express Company, freight on 4 boxes marked G. K. K., Statesville,		8
11	Paid Southern Express Company, freight on package for Treasurer's department,		2 50
	Paid Hatch, Estes & Co., amount of bill for stationery, and one dozen wire fenders,		8,165 45
12	Paid People's Press, for advertising proclamation of Governor of October, 1868,		40
	Paid Southern Express Company, freight on package of bonds valued at \$10,000,		25
	Paid T. H. Briggs, for sundry articles and work done in capitol,		115 71
	Paid Wilmington Post, for advertising for Executive and Treasurer's departments,		74
	Paid Wilmington Post, for advertising General Orders, No. 6 and 8, of Adjutant General,		6
	Paid Wilmington Post, for publishing Governor's proclamation in regard to arms,		32
16	Paid American Bank Note Company for alteration to tint plate, and furnishing 4,001 bonds, \$1,000 each, and sixty coupons,		1,225 30

1868.				
Dec 16	Paid American Bank Note Company, for furnishing 201 bonds and sixty coupons, \$60.30, alteration to plate \$25, furnishing 350 bonds and coupons, \$105,	\$	190	30
	Paid Southern Express Company, freight on 8 boxes books to Statesville, Shelby and Morganton, Wentworth and Dallas,		14	50
17	Paid Southern Express Company, freight on package from Treasurer's department to New York,		5	
	Paid Raleigh & Gaston Railroad Company, freight on 20 boxes of books,		24	51
	Paid John G. Williams, expenses to and from New York, and telegraph and express charges,		220	70
19	Paid Southern Express Company, freight on 10 boxes of books to various addresses, and ditto on package for State Library,		20	50
21	Paid H. P. Buncombe, for services as waiter in Capitol, month of December, 1868,		22	50
24	Paid W. J. Gant, for work done in office of Superintendent of Public instruction and Senate Chamber,		9	
	Paid Raleigh & Gaston Railroad Company, freight on 20 boxes books and 4 boxes of sundries,		27	39
	Paid Alex. Turner, for services as waiter in Capitol, month of December, 1868,		22	50
	Paid George R. Kimball, for distributing dockets for Superior Court Clerks in 26 western counties,		375	
26	Paid John Armstrong, for 12 sets County Dockets, 6 books, 8 quires demy,		750	
	Paid R. R. Harrison, for 10 win-			

1868.	dow shades for the different departments, and putting up the same,	\$ 106 65	
Dec 28	Paid Southern Express Company, freight on Superior Court dockets, to various addresses,	13 75	
	Paid Southern Express Company, freight on packages for State and Treasurer's departments,	42 78	
29	Paid J. M. Harris, for 14,988 feet of lumber for boxing trees around Capitol Square,	262 29	
	Paid Hilliard Bishop, for boxing trees and manure furnished,	46 25	
	Paid Raleigh & Gaston Railroad Company, freight on paper, books, press, stand, &c.,	36 82	
30	Paid John Armstrong, for eight dockets for the Judges and Clerk of the Supreme Court,	12	
			12,594.49
1869.			
Jan. 9	Paid Jas. H. Harris, for services on Penitentiary Commission,	20	
	Paid North Carolina Railroad Company, freight on sundry packages of stationery,	111 96	
11	Paid Southern Express Company, freight on sundry packages for State department,	18 25	
14	Paid Raleigh Gas Light Company, for 100 fire brick for offices in Capitol,	15	
15	Paid Williams & Haywood, for paints, oil and other articles for use of Capitol,	30 60	
16	Paid G. W. Hayes, for work done in office of Attorney General,	9 20	
18	Paid Southern Express Company, freight on package for Treasurer's department,	1 50	
19	Paid Southern Express Company, freight on package shipped by		

1869.	Public Treasurer and Secretary of State,	\$	10	25
Jan. 20	Paid Southern Express Company, freight on package shipped by Public Treasurer and Secretary of State,		11	50
	Paid Raleigh & Gaston Railroad Company, freight on 1 case of paper,		4	29
21	Paid Southern Express Company, freight on package from New York,		1	25
	Paid Wilmington Post, advertising Governor's proclamation relative to municip'l offic'rs, &c.,		39	
23	Paid Frank O'Donnell, cleaning water closet and repairing pipes in same,		34	90
25	Paid Southern Express Company, freight on packages from Springfield, Illinois, and New York,		5	75
	Paid H. Mahler, for making, altering and repairing Superior Court seals,		92	
26	Paid John Ransom, painting 9 water closets,		4	50
	Paid Southern Express Company, freight on package from N. Y.,		4	75
	Paid W. J. Gant, work done in offices of Superintendent of Public Instruction and Superintendent of Public Works,		47	45
30	Paid Southern Express Company, freight on packages for State Library and State Department,		3	
	Paid Western Union Telegraph Company, for messages sent and received by Executive and State Departments,		14	80
	Paid John Harrison, for repairing carpets in Commons Hall and Senate Chamber,		10	

1869.			
Jan. 30	Paid J. A. Jones, for books furnished State Library,	\$	22
	Paid Raleigh Gas Light Company, for gas consumed in capitol and gate lamps, during the month of December, 1868,		87 20
	Paid A. Miller, P. M., amount of bill for postage for the various departments during the month of December, 1868,		299 19
	Paid Southern Express Company, freight on sundry packages shipped by State Department,		53 25
	Paid Raleigh & Gaston Railroad Company, freight on 9 cases of books, &c.,		16 14
	Paid J. B. Neathery & Co., advertising weights and measures,		10
	Paid J. B. Neathery & Co., printing for Executive Department,		77 50
	Paid J. B. Neathery & Co., printing for Treasury Department,		166 82
	Paid Southern Express Company, freight on package for Treasury Department,		1
	Paid Lougee & Bro., for coal grate, hood and shovel for office of Attorney General,		16 50
	Paid Handy Lockhart, for repairing chairs and locks, and work done in capitol,		64
	Paid Western Union Telegraph Company, telegrams sent and received by Executive and State departments,		34 36
	Paid Southern Express Company, freight on 20 boxes shipped by Secretary of State to various addresses,		42
	Paid Friday Jones, services as watchman of capitol for the month of December, 1868,		45

1869.				
Jan. 30	Paid Robert Hall, for cutting and packing 50 cords of wood,	\$	37 50	
	Paid J. B. Neathery & Co., printing done for State Department,		305 69	
				1,768.10
Feb. 1	Paid North Carolina Railroad Company, freight on 2 packages stationery,		7 93	
	Paid S. D. Harrison, for bowl and pitcher \$2, 60 bars of soap \$4.80, matches \$3.25.		10 05	
2	Paid T. H. Briggs, sundry articles for use of State House,		56 09	
	Paid Southern Express Company, freight on package for State Library,		4	
	Paid Southern Express Company, freight shipped by State department,		5	
6	Paid S. T. Blackwell, for repairing wheelbarrow,		3 75	
9	Paid Southern Express Company, freight shipped by State department,		13	
	Paid Alexander Turner, services as waiter in several departm'ts of capitol,		22 50	
	Paid Raleigh Gas Light Company, gas consumed in capitol and gate lamps,		160 80	
11	Paid Southern Express Company, freight on packages shipped by Public Treasurer,		1 25	
25	Paid Southern Express Company, for drawing and engraving cut seal, and freight on same,		49 25	
	Paid J. J. McGuire, for guarding papers, &c., of Auditor's office 12 days and 11 nights,		57 50	
	Paid John Harrison, for hanging curtains and laying carpet in clerk's office in Common's Hall,		4	
	Paid Briggs and Atkinson, for			

1869.	making 12 pair of doors, trim- ming cases, furnishing locks, hinges, and screws, and hang- ing doors, &c., in office of Su- perintendent of Public Instruc- tion, \$140, making 2 single book cases, and 1 double ditto, in office of Sec. of State, \$58,			
Feb. 25	Paid H. T. Clawson, for laying oil cloth and taking down shades in Treasurer's office,	\$	198	
26	Paid H. Mahler, for seal and press for Superior Courts for the counties of Catawba, North ampton, Moore, Washington, Polk and Franklin,		5	
	Paid Southern Express Company, freight on package shipped for State Library,		90	
	Paid R. & G. R. R. Co., freight on 4 cases stationery,		75	
27	Paid A. James, for work done in Auditor's Office and Supreme Court Room,		21 63	
	Paid S. M. Parish, for painting and graining book cases and table in office of Superinten- dent of Public Instruction,		20 50	
	Paid John Ransom, for five and one-half days painting in offices of Auditor and Secretary of State, at \$2.50 per day,		13 50	
	Paid Southern Express Company, freight on 9 packages of books,		13 75	
	Paid John Harrison, for laying carpet in office of Keeper of Capitol and in House of Rep- resentatives and furnishing cords and fixtures for window shades,		13 50	
28	Paid Alex. Turner, for services as waiter in several departments of capitol,		11	
			22 50	
				\$805 25

1869.				
Mar. 1	Paid H. P. Buncombe, for services as waiter in capitol two months to March 1st, 1869,	\$	45	
	Paid Southern Express Company, freight on packages shipped by State Department and for Supreme Court Library,		15	
	Paid Handy Lockhart for repairing chairs and putting on locks in House of Commons and Senate Chamber and repairing furniture in office of Secretary of State,		84	85
	Paid Friday Jones, for 2 months services as watchman of capitol,		90	
✓ 2	Paid Southern Express Company, freight on packages for Superintendent of Public Instruction,		1	75
	Paid John Armstrong, for 8 sets Superior Court dockets (forty books) at \$12.50,		500	
3	Paid Western Union Telegraph Company, for telegrams from Col. Heaton,		5	30
	Paid Western Union Telegraph Company, for telegrams sent and received by State department,		2	25
	Paid. E. J. Hale & Sons, for Wallace's Reports, vols. 4, 5 and 6, 1 Spencer's Chancery, 2 vols., 1 English Common Law, vol. 107, Saunders on Bankrupt and Abbott's New York Digest, 7 vols., for Supreme Court Library,		70	55
	Paid Southern Express Company, freight on packages shipped by Treasurer and State Library,		2	
4	Paid N. J. Gant, for articles furnished and work done in offices of Superintendent of Public In-			

1869.	struction, Attorney General and Keeper of capitol,	\$	32 45	
Mar. 5	Paid John Ransom for nine and one-half days painting in Auditor's office at \$2.50 per day,		23 75	
6	Paid Douglass Bell, for 1 ton of coal,		16 50	
	Paid Southern Express Company, freight on packages shipped for Executive and State departments,		8 50	
10	Paid Southern Express Company, freight on packages shipped for State and Auditor's departments and State Library,		6	
12	Paid A. Miller, P. M., for postage stamps for Supreme Court,		6	
	Paid Southern Express Company, freight on sundry boxes of books for county officers,		12	
16	Paid John Ransom for painting two days in office of Secretary of State,		5	
18	Paid R. M. Douglass, Private Secretary, for fees allowed him for sealing State bonds,	1,043	40	
	Paid Southern Express Company, freight on 26 packages shipped for State department,		10 75	
	Paid Southern Express Company, freight on packages shipped by State Librarian and State Department,		6 25	
19	Paid John Ransom for six days painting and graining in Auditor's office,		15	
20	Paid Southern Express Company, freight on two boxes shipped for State department,		3 75	
	John Harrison, for 5 days work in Senate and House of Representatives, repairing carpets and			

1869.	window shades, and cord furnished,	\$	13	
Mar 23	Paid Southern Express Company, freight on 7 boxes of arms to Kinston,		19	30
	Paid Southern Express Company, freight on one box for Treasury department,		1	75
	Paid James Vick, for flower seeds for capitol square,		13	40
26	Paid Southern Express Company, freight on sundry boxes for Treasury and State departm'ts,		10	75
27	Paid W. T. King, for repairing chandeliers and gas burners in Auditor's office,		5	
	Paid W. R. Richardson, Acting Private Secretary, for sealing 300 bonds at 10 cents,		30	
				2,099.25
April 7	Paid H. P. Buncombe, for services as waiter in capitol for month of March,		22	50
	Paid Western Union Telegraph Company, for telegrams sent and received by Executive and Treasury departments,		24	41
	Paid Southern Express Company, freight on box to Weldon, N. C.,		1	75
	Paid Southern Express Company, freight on 3 packages as per receipt,		4	25
	Paid Southern Express Company, freight on sundry boxes for Executive and State departments,		5	75
	Paid S. M. Parish, for painting and graining desk and cases in Supreme Court room and Auditor's office,		36	
	Paid John Ransom, for painting desk and table and Judges stand in Supreme Court room,		9	50
9	Paid G. R. Kimball, for distribu-			

1869.	ting dockets for Judges of Probate, in sixteen counties in the western part of the State,	\$	300	
April 9	Paid W. H. & R. S. Tucker & Co., for 167 yards of carpet at \$2,25 per yard, oil cloth and sundry other articles for use of capitol,		443	41
10	Paid Phil Thiem, for 6 baskets.		9	
	Paid Phil Thiem, for half dozen feather brushes, water bucket and cocoanut can,		16	75
	Paid W. H. Morris & Co., for book case and wash stand for office of Attorney General,		38	50
	Paid W. B. Rich, for burial case, hearse hire, &c.,		24	0
	Paid O. S. Hayes and others, for expenses incurred in accompanying the remains of D. J. Rich,		43	5
	Paid Jno. Harrison, for repairing carpet and shades in Commons Hall,		9	
	Paid G. W. Cobb, for distributing registration books for the counties of Pasquotank, Currituck and Camden,		12	26
12	Paid John Ransom, for 7 days painting in room of keeper of capitol,		17	50
	Paid John Ransom, for painting book case and safe in Auditor's office,		11	50
	Paid Robert Hall, for cutting and packing 97½ cords of wood,		73	12
	Paid Briggs & Atkins, making cases and step ladder, repairing cases, &c., in Supreme Court room and Auditor's office,		339	25
	Paid C. Strickland and David Boylan, for 3 days work on side walk around capitol, and making steps in belfry,		6	75

1869.				
Apl 12	Paid Hatch, Estes & Co., for stationery, &c., purchased by Secretary of State,	\$ 1,296	94	
	Paid G. W. Nason, for 6 cane back walnut chairs and 6 sets brass castors,		72	
	Paid Douglas Bell, for 8 tons and 600 pounds of coal,	132	95	
	Paid Wilmington Post, advertising for Executive departm't,		60	50
	Paid A. Miller, P. M., for postage stamps, &c., for the various departments during this month,	234	61	
	Paid Raleigh Gas Light Company, for gas consumed in capitol and gate lamps during the months of February and March, 1869,	268		
	Paid K. B. Waitt and others, for furnishing metallic case, burial expenses and transportation of the remains of Hon. Richard I. Wynne, Senator,	248		
13	Paid Southern Express Company, freight on package for Supreme Court Library,		1	
	Paid Stewart Ellison, for 55 days carpenter work at \$2 per day, and fifty feet of lumber furnished at 90 cents,	110	90	
	Paid S. D. Harrison, for brooms, matches, &c.,	23	90	
	Paid Wheelwright, Mudge & Co., for 20 reams of paper for printing Supreme Court reports, at \$9,50 per ream,	190		
	Paid Tucker & Co., for crape and ribbon for General Assembly, on account of the death of the late Rich and Short, \$135.38, 2 walnut tables, \$48,	183	38	
	Paid D. J. Pruyn, for 175½ cords of wood at \$4 per cord,	702		

1869.

Apl 14	Paid S. Branson, for 16 loads of manure at 50 cents per load,	\$ 8
	Paid Solomon Bragg, for lighting lamps in Senate Chamber,	6
	Paid Handy Lockhart, for repair in chairs, &c., in sundry departments,	28 43
	Paid Raleigh & Gaston Railroad Company, freight on one box furniture,	4 87
15	Paid Henry Fendt, for 3 water buckets and 1 dipper,	7 10
	Paid Williams & Haywood, for paints, oil, lead, &c., used on Capitol,	78 08
	Paid Raleigh & Gaston Railroad Company, freight on one box furniture,	5 87
	Paid Hilliard Bishop, hauling 186 loads of dirt and gravel for walkway around capitol square, at 50 cents per load,	93
	Paid John Armstrong, for lettering record books and making amercement docket for Supreme Court, \$20.90, day book, ledger and record books for Penitentiary, \$44, index, record and memorandum books for Superintendent of Public Instruction and Treasury departm't, \$15.50,	80 40
17	Paid J. H. Enniss, for one blank book for Treasury department,	1 25
	Paid H. I. Hesselbach, for 5 smoke stacks and work done on State House,	34
	Paid W. H. Jones & Co, for one dozen bottles ink,	9
19	Paid J. H. Enniss, for amount of bill for stationery for the Senate,	13 35
	Paid Nichols & Gorman, for print-	

1869.			
	ing done for Auditor's and Treasurer's departments,	\$	14
Apl 20	Paid H. Bell, for fitting keys and repairing locks in Commons Hall,		6
	Paid R. H. Page, for 2,139 feet lumber for capitol square,		39 43
	Paid A. W. Fraps, for one book case,		35
24	Paid Southern Express Company, freight on package for State department,		1
	Paid John Ransom, for painting case in office of Code Commis- sioners,		4
	Paid H. Mahler, for seal and press for Superior Courts of the coun- ties of Gaston, Stanly, Rock- ingham, Onslow and Alexan- der,		77 50
	Paid American Bank Note Com- pany, for altering bond plates and furnishing bonds and con- pons,		1,634 60
	Paid Briggs & Atkins, for build- ing platform and repairing stand in Supreme Court room, \$77.50, making 5 drawers and furnishing locks in office of Superintendent Public Instruc- tion, \$5.50,		83
	Paid P. F. Pescud, for sweet oil and sponges,		1 90
	Paid John Armstrong, for 39 sets of court dockets, 195 books, at \$12.50,		2,437 50
28	Paid Friday Jones, watchman of capitol, for services to April 31, 1869,		45
30	Paid Alex. Turner, waiter in the several departments of capitol, Paid W. R. Richardson, Acting		22 50

1869.	Private Secretary, for sealing 340 State bonds at 10 cents,	\$	34	
Ap'l 3	Paid Alex. Turner, waiter in the several departments of capitol, for 1 month's wages to March 31, inclusive,		22	50
30	Paid Friday Jones, watchman in capitol, for services to March 31, 1869,		45	
	Paid John Harrison, for putting down carpet in office of Superintendent of Public Instruction,		5	
	Paid John Harrison, for putting down carpet in Auditor's office,		13	60
	Paid Jas. W. Coleman, for stationery as per bill rendered,		511	33
	Paid K. B. Waitt, for making 40 boxes for books, repairing book case, &c.,		27	50
	Paid H. T. Clawson & Co., for cutting and laying carpet in Secretary of State's office,		10	
				11,020.09
May 1	Paid H. P. Buncombe, for one months' services as waiter in capitol, to May 1, 1869,		22	50
	Paid Southern Express Company, freight on packages shipped to various counties of the State,		10	50
	Paid P. F. Pescud & Son, for seed, oil and alcohol,		63	05
	Paid S. S. Ashley, Superintendent of Public Instruction, for expenses incurred in traveling to Chapel Hill, High Point and Wilmington,		8	50
3	Paid D. A. Jenkins, Public Treasurer, for expenses incurred in going to and from New York, on business for the State,		86	25
	Paid Western Union Telegraph Company for telegrams sent and received during the month of			

1869.	April by the various departments,	\$ 66 59
May 3	Paid A. W. Fraps, for 4 lounges, at \$20, \$30, \$45, \$23,	118
	Paid Douglas Bell, for 1 empty hogshead,	1 50
	Paid Nichols & Gorman, for printing done for Supreme Court and State department,	107
4	Paid William J. Gant, for material furnished and building stone wall around the capitol ground on outside,	318 73
	Paid Hilliard Bishop, for 362 loads of sand for walk around capitol square, at 50 cents per load,	181
5	Paid Newbern Daily Times, for advertising sundry proclamations and general orders,	208
	Paid W. H. Morris & Co., for 2 book cases furnished for the office of the Attorney General,	32
	Paid Southern Express Company, freight on 2 packages tax lists,	75
7	Paid J. N. Bunting, for fees on suits brought against sundry delinquent sheriffs, for not settling taxes as prescribed by law,	268 75
	Paid T. V. Moss, for repairing clock for State Library,	2 50
	Paid Chas. Keuster for new locks, keys and nob's furnished and putting same on doors of the various departments in the capitol, opening doors of Supreme Court room, &c.,	82 15
	Paid John Harrison, for work done in Supreme Court Clerk's office and Executive department,	10
8	Paid Raleigh Gas Light Comp'y, for gas consumed in capitol and gate lamps, from April 1st to	

1869.	May 1st, 1869, \$58.40, four Mica shades and one half barrel tar \$12,	\$	70	40
May 10	Paid Robert Hall for cutting 50 cords wood at 75 cents,		37	50
12	Paid D. Miller, for rent of office for W. M. Coleman, Attorney General,		40	
	Paid Southern Express Company, freight on two packages for Executive department,		6	20
14	Paid R. & G. R. R. Co., freight on three boxes and two bundles of trees,		34	85
	Paid J. A. Jones, for 12 North Carolina directories, at \$2,		24	
16	Paid S. T. Blackwell, for repairing roller used on capitol square,		5	
	Paid R. & G. R. R. Co., for freight on 31 bundles of paper,		34	54
	Paid Kemp P. Battle for professional services at various times in regard to public taxes, &c.,		500	
18	Paid Goldsboro' News, for publishing Governor's proclamation of April 16, 1869,		20	
	Paid August Doepp & Co., for 16 reams of paper, 22½x33, for tax lists, and 62 reams book paper, 26x40, also, 3,100 lbs. paper for printing laws, \$1,042.40, insurance and cartage on same \$6.75,		1,049	15
	Paid W. R. Richardson, Private Secretary, for sealing 1,000 bonds issued for W. C. & R. R. Co., at 10 cents each,		100	
19	Paid R. & G. R. R. Co., for freight on bale of carpet,		2	43
	Paid S. Geovani, for repairs in sundry offices of capitol,		1	80
21	Paid R. & G. R. R. Co., for freight			

1869.	on six bundles chairs and one box of furniture,	\$	12	40
May 22	Paid Geo. R. Kimball, for twenty-three and one-half days' painting in the various offices in the capitol,		58	75
	Paid Southern Express Company, freight on 5 packages,		1	50
	Paid W. H. Morris & Co., for furniture for Attorney General's office,		51	50
	Paid Lewis Hanes, for advertising proclamation of Governor in relation to acceptance of amendment to charter of the Western N. C. R. R. Co.,		12	
	Paid W. R. Richardson, Private Secretary, for sealing 10 bonds at 10 cents,		1	
29	Paid S. D. Harrison, for water buckets, dippers, wash bowls, pitchers, soap, matches and tumblers,		30	50
	Paid Alex. Turner, waiter in capitol, for one month's services to May 31st, 1869,		22	50
	Paid Geo. R. Kimball, for forty-eight days' painting in Executive office, office of Private Secretary and State Library, at \$2.50,		120	
	Paid D. A. Jenkins, Public Treasurer, for traveling expenses to Baltimore on business for the State,		39	
	Paid Southern Express Company, freight on packages for State Library,		1	35
	Paid Southern Express Company, freight on packages for State Department,		1	35
	Paid M. Kelly, for 109 feet lumber for capitol square,		1	60

1869.			
May 30	Paid Reuben Clawson, for making two pair steps for use of capitol,	\$ 11 25	
	Paid F. O'Donnell, for repairs at Arsenal and water closets and pipes furnished for latter,	21 38	
	Paid S. Geovanni, for repairs in Treasury Department,	1 90	
			\$3,902.02
June 1	Paid Raleigh & Gaston Railroad Company, for freight on 4 bundles, and 2 cases stationery,	51 02	
	Paid Southern Express Company, freight on packages for Executive department and State Library,	4 55	
	Paid S. M. Parish, for painting gilt signs for Superintendent Public Instruction and Private Secretary,	9	
	Paid J. T. Backalan, for traveling expenses incurred in carrying respite for George Johnson, (Bayline,) to the Sheriff of Halifax county,	25	
2	Paid H. P. Buncombe, for one months services to June 1, 1869, as waiter in capitol,	22 50	
	Paid Western Union Telegraph Company, for messages sent and received by Secretary of State, Executive departm't and Treasury department, during the month of May to June 1st, inclusive,	120 34	
	Paid M. S. Littlefield, State Printer, for 70 reams book paper, at \$9 per ream,	630	
	Paid Raleigh & Gaston Railroad Company, freight on 10 bundles of paper,	10 83	
	Paid Southern Express Company, freight on sundry packages,	12 40	

1869.			
June 2	Paid W. R. Richardson, Private Secretary, for sealing 2,100 bonds Western North Carolina Railroad,	\$ 210	
	Paid Raleigh & Gaston Railroad Company, for freight on 13 cases stationery,	7 11	
	Paid Asheville Pioneer, for publishing Governor's proclamations of the 8th and 16th of April, 1869,	57	
	Paid Friday Jones, watchman of capitol, for one months wages, ending May 30, 1869,	45	
	Paid John Harrison, for putting down and sewing carpet, hanging window shades, and other work in sundry rooms of the capitol,	43	
5	Paid Southern Express Company, freight on tax books, &c.,	14 50	
	Paid Jacob Sowers, sheriff, for traveling 220 miles, making election returns of Davidson county, held November 3, 1868, for electors of President and Vice-President of United States and members of Congress,	22	
	Paid Armstead James, for mowing hay and gathering same in capitol square,	12	
	Paid John Cox, for moving furniture of Attorney General,	1	
	Paid Henry Briggs, for 6 days services in various offices of the capitol,	4 50	
	Paid Lougee & Bro., for tin cups, plates, knives and forks, &c., for militia under charge of Capt. Bozier,	8 85	
	Paid Geo. R. Kimball, for 55 days painting in Treasurer's office,		

1869.			
	and iron fence around capitol square,	\$	137 50
June 7	Paid D. Appleton & Co., for amount of bill for books purchased by the Secretary of State on account of the State Library, including \$1.75 freight on box for Treasury department,		738 43
	Paid Thos. H. Briggs, for sundry articles for use of capitol, as per bill rendered,		80 42
8	Paid Southern Express Company, for freight on box from New York for Treasury department,		1 75
	Paid Augustus Doepp & Co., for 107 7-12 reams paper for publication of laws, insurance included, \$1,024.34, 16 reams paper for tax books, \$120.64, ruling and binding same, \$109.88,		1,254 86
	Paid H. J. Menninger, Secretary of State, expenses incurred in in going to New York, for the purchase of tax books and printing paper,		64
9	Paid Jno. Armstrong, for 2 record books for Executive departm't, \$50, 10 court dockets for Judges of the Supreme Court, \$15,		65
	Paid Newbern Daily Times, for publishing statutes of the State, according to sections 17, 18 and 19, concerning the powers and duties of State officers,		410
	Paid Raleigh & Gaston Railroad Company, for freight on 1 box for State department,		1 22
	Paid Raleigh & Gaston Railroad Company, for freight on 6 boxes stationery,		11 52
10	Paid Southern Express Company, for freight on 1 box for Treasury department,		1 75

1869.				
Jun 11	Paid W. R. Richardson, Private Secretary, for sealing 25 bonds, (funding.)	\$	2 50	
	Paid Southern Express Company, freight on package for Treasury,		1 75	
	Paid Raleigh Sentinel, for advertising an act to provide for the collection of taxes by the State and by the several counties of the State, ratified March 13th, 1869,		7 50	
12	Paid Henry Biggs, for 6 days services as waiter in the Supreme Court room,		4 50	
	Paid George R. Kimball, for 49½ days painting in Treasurer's office, on capitol building and fence around capitol, at \$2.50 per day,		123 12	
	Paid K. B. Waitt, for making boxes, putting up shelves, and plank furnished for same, by order of Secretary of State,		17 70	
	Paid Augustus Doepp & Co., for amount of account for stationery, as per bill rendered, of May 31st, and June 4th, 1869,		764 51	
	Paid Southern Express Company, freight on package for Treas'ry department,		1 75	
14	Paid Southern Express Company, for freight on package from New York for Treasury department,		1 75	
	Paid Nichols & Gorman, for printing done for Auditor's department,		26	
15	Paid Southern Express Company, for freight on package from New York for Treasurer's department,		1 75	
17	Paid W. H. Morris & Co., for 9 yards of enamelled cloth, &c.,		11 50	

1869.				
Jun 17	Paid Southern Express Company, for freight on box from New York,	\$	1	75
	Paid Briggs & Atkins, for making 2 horses for painters and furnishing 3 pieces of plank,		4	75
	Paid W. G. Briggs, for making and raising flag pole on capitol, and work done in office of Superintendent of Public Works,		70	50
18	Paid Geo. R. Kimball, for putting iron safe in office of Superintendent of Public Instruction, on third floor of capitol,		40	
	Paid H. T. Clawson, for painting fire screens, window shades, &c., for various offices in capitol,		52	
	Paid Southern Express Company, for freight on one box and two packages for Treasury Department,		3	50
21	James Heaton, for 12 days' services as special officer for Committee of Investigation of the affairs of the Albemarle & Chesapeake Canal Company, at \$3 per day,		36	
	Paid Henry Biggs, for six days' services as waiter in Supreme Court room,		4	50
	Paid Southern Express Company, for freight on packages from New York,		2	50
23	Paid S. M. Parish, for painting gilt sign for Adjutant General's office,		3	50
	Paid H. P. Buncombe, for services as waiter in capitol, one month to June 30th, 1869,		22	50
	Paid Alex. Turner, as waiter in capitol for one month, ending June 30th, 1869,		22	50

1869.			
Jun 23	Paid W. R. Richardson, Private Secretary, for sealing 1,500 bonds for Western (Coal Fields) R. R. Co., at 10 cents,	\$ 150	
	Paid Southern Express Company. freight on packages for Executive, Treasurer and Auditor's Departments,		2 50
	Paid W. R. Richardson, Private Secretary, for sealing 273 bonds W. N. C. R. R., at 10 cents,	27 30	
24	Paid Battle & Sons, for professional services rendered Treasury Department, under act of the General Assembly authorizing the Public Treasurer to employ counsel,	500	
25	Paid Raleigh Gas Light Comp'y, for gas consumed in capitol and gate lamps, from May 1st, to June 1st, 1869,	40	
	Paid Friday Jones, for 1 months' services as watchman of capitol,	45	
	Paid M. S. Littlefield, State Printer, for printing 400 circulars for the Superintendent of Public Instruction,	10	
26	Paid Henry Biggs, for six days services as waiter in Supreme Court room,	4 50	
28	Paid D. R. Newsom, N. C. R. R. Co., for freight on 14 boxes of guns and one box cartridges,	15 85	
	Paid W. R. Richardson, Private Secretary, for sealing 300 bonds for North-Western R. R. Co.,	30	
29	Paid H. T. Clawson, for 1 pair of window shades and fixtures complete, for office of Private Secretary,	23 95	
	Paid Southern Express Company,		

1869.				
	for freight on packages for Executive Department from Springfield, Ill.,	\$	2	
Jun 30	Paid Southern Express Company, for freight on packages for Treasury and Auditor's Departments,		2 50	
				6,158.98
July 1	Paid Lewis Hanes, for publishing Governor's proclamation in relation to "an act amendatory of an act to incorporate the Western N. C. R. R. Co.,		14	
	Paid Western Union Telegraph Company, for telegrams sent and received by Treasury and State Departments during the month of June, 1869,		14 42	
	Paid Forest Manufacturing Co., for paper furnished the State as per bill rendered,		2,500	
	Paid Western Union Telegraph Company, for telegrams sent and received by Executive Department during the month of June, 1869,		35 25	
	Paid W. R. Richardson, Private Secretary, for sealing 87 bonds Western N. C. R. R. Co., at 10 cents,		8 70	
	Paid Southern Express Company, freight on packages from New York and other points,		6	
3	Paid Asheville Pioneer, for publishing Governor's proclamation in relation to Western N. C. R. R. Co.,		21	
	Paid Henry Biggs, for services as waiter 1 week,		4 50	
	Paid Jno. W. Harrison, for hanging window shades in Executive Department and laying oil cloth			

1869.	on counter in Treasury Department,	\$	8	
July 3	Paid Southern Express Company, freight on packages from New York,		1	
	Paid Raleigh & Gaston Rail Road Company, freight on four boxes minutes and one box dockets for State department,		15	77
7	Paid G. W. Swepson, for freight paid by him on 13 boxes State bonds for Treasury departm't,		23	25
8	Paid Williams & Lambeth, for ink furnished Treasury department,		6	15
	Paid Augustus Doepp & Co., for one hundred 8 quire minute dockets, indexed, paged and ruled, purchased by the Secretary of State for the several counties of the State,		1,166	67
	Paid Southern Express Company, for freight on county dockets, shipped by Secretary of State to sundry counties,		11	25
	Paid Williams & Lambeth, for stationery,		10	90
10	Paid Sentinel office, for publishing Governor's proclamation in relation to filling the vacancy in the 19th Senatorial district, caused by the death of Hon. R. I. Wynne,		15	
	Paid Southern Express Company, freight on packages from Baltimore,		2	
	Paid Henry Biggs, for services as waiter in Supreme Court room one week,		4	50
	Paid G. W. Wynne & Co., for the hire of a horse and buggy for the use of Adjutant General's office,		5	

1869.			
July 10	Paid Southern Express Company, freight on sundry packages	\$	1 50
	Paid C. J. Rogers, P. M., for postage stamps furnished the several departments,		654 66
13	Paid J. C. Blake, for premiums on draft on New York, for \$2,040.30,		5 10
14	Paid Raleigh & Gaston Rail Road Company, for freight on office table,		1 55
15	Paid W. H. Soper, for 1,000 copies lithograph plans for public school houses and electrotype of cuts of plans, &c., for same,		71 25
16	Paid W. R. Richardson, Private Secretary, for sealing 20 bonds for funding purposes,		2
	Paid Southern Express Company, for freight on packages shipped for State and Treasury departments,		9 05
	Paid Henry Biggs, for services as waiter in Supreme Court room, one week,		4 50
19	Paid J. A. Jones, for blank book,		1 30
20	Paid John Armstrong, for repairing and lettering State record book, and making day book, journal and ledger for Auditor's department,		186 50
	Paid Phil. Thiem, 3,665 pounds of ice furnished to the various departments to 1st July, 1869, at 3½ cents per pound, also one flag pole for capitol, and sundry baskets and brushes,		186 78
	Paid Southern Express Company, freight on package shipped by Executive and Treasury departments,		9
	Paid Ellison and Norwood, for		

1869.	repairing desk in office of Superintendent of Public Instruction,	\$	1
July 22	Paid Southern Express Company, for freight on 3 packages for Treasurer's department,		6 90
	Paid C. L. Harris, Superintendent Public Works, for amount of postage for his department,		14 95
	Paid J. H. Enniss, for stationery for State and Treasurer's departments,		30 95
24	Paid Henry Biggs, for services as waiter in Supreme Court room one week,		4 50
	Paid A. W. Fraps, for lounges for Treasurer's, Auditor's and Adjutant General's departments, also 1 wash stand each for Executive Department and Supreme Court room,		89
	Paid Geo. Graham, for felling and cutting up one large oak in Baptist Grove,		3 50
	Paid Wilmington Post, for advertising sundry proclamations of the Governor, in relation to fugitives from justice, Western North Carolina Railroad Company, &c.,		84
27	Paid Southern Express Company, for freight on packages for Superintendent of Public Instruction, Treasurer's and Executive departments,		2
3	Paid Alex. Turner, waiter in the several departments of capitol, for one month, ending July 31, 1869,		22 50
2	Paid H. P. Buncombe, for services as waiter in capitol, one month, ending July 31, 1869,		22 50
	Paid Raleigh Gas Light Company,		

1869.	for gas consumed in the capitol and State lamps during the month of July, 1869,	\$	60	40	
July 2	Paid Friday Jones, for 1 months services as watchman in capitol,		45		
	Paid Southern Express Company, freight on package for Treasury Department,		1		
	Paid Sentinel office for advertising for Treasury Department,		7		
	Paid Western Union Telegraph Company, for messages sent and received by Executive Treasury and State Departments,		75	34	
	Paid Andrew Jackson, for hauling 4 loads of rubbish,		1		
					5,478.09
Aug. 2	Paid W. R. Richardson, Private Secretary, for sealing 10 bonds at 10 cents,		1		
3	Paid Southern Express Company, for freight on packages for State and Treasurer's departments,		2	95	
4	Paid Hilliard Bishop, hauling 12 loads of wood and rock to Capitol Square,		6		
	Paid Newbern Daily Times, for publishing 50 6-20 columns, (Standard measure,) laws of North Carolina,		251	22	
	Paid R. C. Badger, for services rendered the State as attorney, and representing the Governor in the Wilmington, Charlotte and Rutherford Railroad meeting for re-organization, held at Wilmington,		318	25	
	Paid Henry Fendt, for 3 office baskets for use of capitol,		4	25	
	Paid S. F. Phillips and K. P. Battle, for professional services rendered in injunction against				

1869.	C. L. Harris, Superintendent of Public Works,	\$	500	
Aug. 6	Paid Henry E. Smith, for altering copper pipe, and work done on capitol as per bill rendered,		56	
7	Paid Southern Express Company, for freight on 27 boxes books, for State department, and sundry packages for Treasury department,		32	25
	Paid Henry Biggs, for 12 days services as waiter in Supreme Court room,		9	
	Paid Forest Manufacturing Company, for 200 reams No. 1 book paper, 26x40, 50 lbs. per ream, at \$10 per ream,		2,000	
11	Paid Wilmington Post, for publishing laws of North Carolina, 132 6-20 columns, (Standard measure,) at \$5,		661	22
	Paid Asheville Pioneer for publishing 80 columns laws of N. Carolina, (Standard measure,) at \$5.		400	
13	Paid Raleigh Gas Light Company for gas consumed in capitol and State lamps, month July, 1869,		56	
	Paid Wm. H. Bernard, for publishing in Morning Star Governor's proclamation in relation to W. C. & R. R. R.,		10	
14	Paid Southern Express Company, for freight on packages for Treasurer and Auditor's departments,		3	90
19	Paid J. H. Enniss, for day book, ledger and journal for use of Board of Education,		25	
21	Paid Southern Express Company, for freight on sundry packages for the various departments,		12	25
23	Paid Engelhardt & Price, for			

1869.	advertising for Executive department,	\$ 47	
Aug 28	Paid Reuben Clawson, for building and repairing steps on capitol,	5	
31	Paid Douglass Bell, for one box toilet soap for use of officers in capitol,	6	
	Paid Friday Jones, for services as watchman in capitol the month of August, 1869,	46 50	
			\$4,453.79
Sept. 1	Paid H. P. Buncombe, waiter in capitol, for services for the month of August, 1869,	22 50	
	Paid Alex. Turner, services as waiter in capitol, month of August, 1869,	22 50	
	Paid Phil Thiem, for 1,766 lbs. of ice furnished the Supreme Court during the Spring Term, 1869, at 3½ cents per lb.,	61 81	
	Paid Western Union Telegraph Comp'y, for telegrams sent and received by Executive, Treasurer and State departments, during the month of August, '69,	103 80	
2	Paid Southern Express Company, for freight on packages from various points for Treasury department,	33 25	
	Paid H. Mahler, for seals and press for Superior Courts in several counties and calendar clocks for Executive office and Supreme Court room,	155	
4	Paid Southern Express Company, for freight on 3 boxes for Superintendent of Public Instruction,	6 50	
6	Paid Friday Jones, for amount to which he is entitled for each month having 31 days, from		

1869.	July 1st, 1868, to August 1st, 1869, he having drawn \$45 per month instead of \$1.50 per night as watchman of capitol.	\$	10	50
Sept. 7	Paid W. R. Richardson, Private Secretary, for sealing 600 bonds for Northwestern North Carolina Railroad Company, at 10 cents,		60	
	Paid Raleigh Gas Light Company, for gas consumed in capitol and gate lamps, from August 1, 1869, to Sept. 1, 1869,		35	20
8	Paid Southern Express Company, for freight on 2 packages for Auditor's department,		1	25
	Paid W. R. Richardson, Private Secretary, for sealing 180 bonds Northwestern North Carolina Railroad, at 10 cents,		18	
	Paid Southern Express Company, freight on packages from Tarboro' for Auditor's department,		50	
11	Paid Sentinel office for advertising for Treasury department,		5	
13	Paid John Ransom, for glazing 5 window glass in capitol,		2	
	Paid Jno. Armstrong for binding 26 record books for office of Secretary of State, at \$5,		130	
14	Paid Southern Express Company for freight on package from Kinston for Auditor's department,		50	
	Paid W. R. Richardson, Private Secretary, for sealing 540 bonds of Western N. C. R. R. Co., at 10 cents,		54	
15	Paid W. R. Richardson, Private Secretary, for sealing 2,000 bonds of A. T. & O. R. R. in N. C.,		200	
16	Paid Handy Lockhart, for work			

1869.	done in sundry offices in the capitol,	\$	27	07
Sep. 16	Paid Southern Express Company, freight on sundry packages for Treasury Department,		17	30
	Paid Southern Express Company, for freight on sundry packages for Auditor's and Treasurer's Department,		2	
20	Paid Southern Express Company, freight on 2 boxes from New York for Treasury Department,		5	
22	Paid Asheville Pioneer, for publishing public laws,		100	
	Paid Southern Express Company, for freight on sundry packages from Sheriffs of various counties of the State for Treasury Department,		20	
24	Paid Southern Express Company, for freight on box from New York for Treasury Department,		3	25
	Paid C. T. Wood, under an act prescribing the powers and duties of State officers,		11	
	Paid Alex. Turner, waiter in itol for services for the month of Sept., 1869,		22	50
	Paid H. P. Buncombe, for services as waiter in capitol for the month of Sept., 1869,		22	50
25	Paid Friday Jones, as watchman of capitol, for the month of Sept., 1869,		45	
	Paid G. W. Hayes, for work done in Executive Department,		9	62
27	Paid Southern Express Company, for freight on package for Auditor's Department,		25	
	Paid D. R. Newsom, for freight on 5 boxes arms, ammunition and equipments,	\$	10	80

1869.				
Sep. 29	Paid Southern Express Company, for freight on box from N. Y., for Treasury Department,	1	75	
	Paid D. J. Pruyn, for balance due on wood delivered in April, 1869, for use of capitol,	25	50	
				\$1,245.85
	Total,		\$	76,506.64

EXPENSES ON CAPITOL SQUARE.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, February 23, 1870.

HON. TOD R. CALDWELL,

President of the Senate.

SIR:—I have the honor to enclose herewith a communication from Hon. Henderson Adams, "Auditor of State," with accompanying statement, in compliance with a Senate resolution relative to Capitol Square, ratified February 14th, 1870.

I have the honor to be,

With great respect,

Your obedient servant,

W. W. HOLDEN,

Governor

STATE OF NORTH CAROLINA,

AUDITOR'S OFFICE,

Raleigh, February 23, 1870.

TO HIS EXCELLENCY W. W. HOLDEN,

Governor of North Carolina.

SIR:—I have the honor in accordance with Senate resolution, ratified February 14th, to submit the accompanying statement relating to Capitol Square.

Most respectfully,

Your obedient servant,

H. ADAMS,

Auditor.

AN ITEMIZED STATEMENT

OF AMOUNT EXPENDED ON CAPITOL SQUARE DURING THE YEAR
ENDING SEPTEMBER 30, 1869, INCLUDING CLAIMS AUDITED ON
ACCOUNT OF SAID SQUARE FROM SEPTEMBER 30, 1869, TO
FEBRUARY 10, INCLUSIVE, 1870, AS FOLLOWS:

1868.			
Oct.	Solomon Bragg, for 6 days labor on capitol square, 1.25,	\$	7 50
	N. Hinton, for 6 days labor on capitol square, 75 cents,		4 50
	Ransom Harrison, for 6 days labor on capitol square, 75 cents,		4 50
	Solomon Bragg, for 6 days labor on capitol square, 1.25,		7 50
	N. Hinton, for 6 days labor on capitol square, 75 cents,		4 50
	R. Harrison, for 6 days labor on capitol square, 75 cents,		4 50
	John Flagg and others, for hauling rubbish, &c., from square,		9 50
	Sol. Bragg, for 6 days labor on capitol square, at 1.25,		7 50
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50
	Sol. Bragg, for 6 days labor on capitol square, at 1.25,		7 50
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50
	Sol. Bragg, for 6 days labor on capitol square, at 1.25,		7 50
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50
			\$ 92.00

1869.				
Nov.	Solomon Bragg, for 6 days labor on capitol square, at 1.25,	\$	7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	Henry Hunter, for 8 nights guarding arsenal, at 1.50,		12	
				\$ 78.00
Dec.	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	H. Hunter, for 8 nights guarding arsenal at 1.50,		12	
	W. Hamilton, for 100 select rose bushes, at 90 cents each,		90	
	W. Hamilton, for 100 Lilium Flor Plene Lute, at 20 cents each,		20	
	W. Hamilton, for 20 Maple trees, \$1 each,		20	

1869. Dec.	W. Hamilton, for 20 Elms, at \$1 each,	\$ 20	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,	7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,	4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,	4 50	
	H. Hunter, for 8 nights guarding arsenal, at 1.50,	12	
	C. H. Coffield, for 60 Moc Oranges,	12	
	C. H. Coffield, for 10 Live Oaks,	2 50	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,	7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,	4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,	4 50	
	H. Hunter, for 6 nights guarding arsenal, at 1.50,	9	
	E. Edwards, for 17 loads manure, at 50 cents,	8 50	
	W. H. Hamilton, for 20 poplars, at 1.00	20	
	W. H. Hamilton, for 20 Sycamores, at 1.00,	20	
	W. H. Hamilton, for 50 assorted Oriental shade trees, at 1.10 each,	55	
	W. H. Hamilton, for 100 Norway Spruce Fir trees, at 90 cents each,	90	
	W. H. Hamilton, for 25 European Silver Fir trees, at 1.00 each,	25	
	W. H. Hamilton, for 25 Pinus Alba Excelse trees, at 80 cents each,	20	
	W. H. Hamilton, for 100 new imported Roses trees, at 95 cents each,	95	
	W. H. Hamilton, for 100 Decidi-		

1868.	ous flowery shrubs, at 45 cents each,	\$	45	
Dec.	W. H. Hamilton, for 100 Pompon Chyranthus, at 20 cents each,		20	
	W. H. Hamilton, for 100 select mixed Herbaceous plants, at 20 cents each,		20	
	W. H. Hamilton, for 100 Lillium Lancefolium, at 25 cents each,		25	
	W. H. Hamilton, for two Myrtus Capensis Ruba, 1.10 each,		2 20	
	Solomon Bragg, 5 days labor on capitol square, at 1.25,		6 25	
	N. Hinton, 5 days labor on capitol square, at 75 cents,		3 75	
	R. Harrison, 5 days labor on capitol square, 75 cents,		3 75	
	H. Hunter, 7 nights guarding arsenal, 1.50,		10 50	
				\$ 716.95
1869.				
Jan.	Solomon Bragg, 6 days labor on capitol square, 1.25		7 50	
	R. Harrison, 6 days labor on capitol square, 75 cents,		4 50	
	N. Hinton, 6 days labor on capitol square, 75 cents,		4 50	
	H. Hunter, 7 nights guarding arsenal, 1.50,		10 50	
	Solomon Bragg, 6 days labor on capitol square, 1.25,		7 50	
	R. Harrison, 6 days labor on capitol square, 75 cents,		4 50	
	N. Hinton, 6 days labor on capitol square, 75 cents,		4 50	
	H. Hunter, 7 nights guarding arsenal, 1.50,		10 50	
	L. Mitchell, 12 days guarding privy, 75 cents,		9	
	Solomon Bragg, 6 days labor on capitol square, 1.25,		7 50	
	Jas. Buncombe, 7 days as waiter			

1869.				
	in Supreme Court room, 75 cents,	\$	4 50	
Jan.	R. Harrison, 6 days labor on capitol square, 75 cents,		4 50	
	N. Hinton, 6 days labor on capitol square, 75 cents,		4 50	
	H. Hunter, 7 nights guarding arsenal, 1.50,	10 50		
	Jerre Mitchell, 6 days guarding privy, 75 cents,	4 50		
				99.00
Feb.	Solomon Bragg, 6 days labor on capitol square, 1.25,	7 50		
	N. Hinton, 6 days labor on capitol square, 75 cents,	4 50		
	R. Harrison, 6 days labor on capitol square, 75 cents,	4 50		
	J. A. Mitchell, 6 days guarding privy, 75 cents,	4 50		
	Henry Hunter, 7 nights guarding arsenal, 1.50,	10 50		
	Jas. Buncombe, 6 days as waiter in Supreme Court room, 75 cents,	4 50		
	Solomon Bragg, 6 days labor on capitol square, 1.25,	7 50		
	N. Hinton, 6 days labor on capitol square, 75 cents,	4 50		
	R. Harrison, 6 days labor on capitol square, 75 cents,	4 50		
	J. Mitchell, 6 days guarding privy, 75 cents,	4 50		
	Jas. Buncombe, 6 days as waiter in Supreme Court room,	4 50		
	Henry Hunter, guarding arsenal 7 nights, 1.50,	10 50		
	Solomon Bragg, 6 days labor on capitol square, 1.25,	7 50		
	N. Hinton, 6 days labor on capitol square, 75 cents,	4 50		
	R. Harrison, 6 days labor on capitol square, 75 cents,	4 50		

1869.			
Feb.	J. Mitchell, 6 days guarding privy, 75 cents,	\$	4 50
	J. Buncombe, 6 days as waiter in Supreme Court room, 75 cents,		4 50
	H. Hunter, 7 nights guarding ar- senal, 1.50,		10 50
	General N. A. Miles, 12 loads of manure, 50 cents,		6
	T. F. Lee, 13 loads manure, 50 cts.,		6 50
	C. Perry, 10 " " 50 "		5
	M. Ransom, 15 loads of manure, 50 cents,		7 50
	M. Davis, 4 loads manure 50 cents,		2
	Geo. Scales, 4 loads of manure, 50 cents,		2
	Geo. Scales, 160 select trees,		59
	H. Bishop, 58 loads of manure, 50 cents,		29
	D. Smith, 30 trees, 50 cents,		15
	Richard Booker and others for removing papers, books, &c., of Supreme Court Library and papers of Superintendent of Public Instruction, &c.,		18
	Solomon Bragg, 6 days labor on capitol square, 1.25,		7 50
	N. Hinton, 6 days labor on capi- tol square, 75 cents,		4 50
	R. Harrison, 6 days labor on cap- itol square, 75 cents,		4 50
	H. Hunter, 7 nights guarding ar- senal, 1.50,		10 50
	J. Buncombe, 6 days as waiter in Supreme Court room; 75 cents,		4 50
	J. Mitchell, 6 days guarding privy, 75 cents,		4 50
	Solomon Bragg, 6 days labor on capitol square, 1.25,		7 50
	N. Hinton, 6 days labor on capi- itol square, 75 cents,		4 50
	R. Harrison, 6 days labor on cap- itol square, 75 cents,		4 50

1869.				
Feb.	H. Hunter, 7 nights guarding ar- senal, 1.50,	\$	10 50	
	J. Mitchell, 6 days guarding ar- senal, 75 cents,		4 50	
	J. Buncombe, 6 days as waiter in Supreme Court room, 76 cents,		4 50	
	Solomon Bragg, 6 days labor on capitol square, 1.25,		7 50	
	N. Hinton, 6 days labor on capi- tol square, 75 cents,		4 50	
	R. Harrison, 6 days labor on cap- itol square, 75 cents,		4 50	
	H. Hunter, 7 nights guarding ar- senal, 1.50,		10 50	
				\$ 357.00
March.	Solomon Bragg, 3 days labor on capitol square, 1.25		3 75	
	N. Hinton, 3½ days labor on capi- tol square, 75 cents,		2 65	
	R. Harrison, 6 days labor on cap- itol square, 75 cents,		4 50	
	J. Buncombe, 6 days services in capitol, 75 cents,		4 50	
	J. Mitchell, 6 days guarding privy, 75 cents,		4 50	
	H. Hunter, 7 nights guarding ar- senal, 1.50,		10 50	
	Solomon Bragg, 6 days labor on capitol square, 1.25,		7 50	
	N. Hinton, 6 days labor on capi- tol square, 75 cents,		4 50	
	R. Harrison, 6 days labor on capi- tol square, 75 cents,		4 50	
	J. Buncombe, 6 days services in capitol, 75 cents,		4 50	
	J. Mitchell, 6 days guarding privy, 75 cents,		4 50	
	H. Hunter, 7 nights guarding ar- senal, 1.50,		10 50	
	C. Strickland, 12 days labor on sidewalk, 75 cents,		9	
	Solomon Bragg, 6 days labor on capitol square, 1.25,		7 50	

1869.				
March.	R. Harrison, 6 days labor on capitol square, 75 cents,	\$	4 50	
	N. Hinton, 6 days labor on capitol square, 75 cents,		4 50	
	J. Buncombe, 6 days services in capitol, 75 cents,		4 50	
	J. Mitchell, 6 days guarding privy, 75 cents,		4 50	
	H. Hunter, 7 nights guarding arsenal, 1.50,		10 50	
	C. Strickland, 5 days labor on walk, 75 cents,		3 75	
				\$ 115.15
April.	Solomon Bragg, 6 days labor on capitol square, 1.25,		7 50	
	N. Hinton, 6 days labor on capitol square, 75 cents,		4 50	
	R. Harrison, 6 days labor on capitol square, 75 cents,		4 50	
	J. Mitchell, 6 days guarding privy, 75 cents,		4 50	
	H. Hunter, 7 nights guarding arsenal, 1.50,		10 50	
	J. Buncombe, 6 days labor on capitol square, 75 cents,		4 50	
	Solomon Bragg, for 6 days labor on capitol square, 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Buncombe, for 6 days labor in capitol, at 75 cents,		4 50	
	H. Hunter, for 6 nights guarding arsenal, at 1.50,		9	
	J. Mitchell, for 6 days guarding privy, at 75 cents,		4 50	
	C. Strickland, for 6 days labor on sidewalk, at 75 cents,		4 50	
	Solomon Bragg, for 3 days labor on capitol square, at 1.25,		3 75	
	N. Hinton, for 5 days labor on capitol square, at 75 cents,		3 75	

1869.				
April.	R. Harrison, for 6 days labor on capitol square, at 75 cents,	\$	4 50	
	J. Mitchell, for 6 days guarding privy, at 75 cents,		4 50	
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50	
	J. Buncombe, for 6 days service in capitol, at 75 cents,		4 50	
	C. Strickland, for 6 days service on sidewalk, at 75 cents,		4 50	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Buncombe, for 6 days service in capitol, at 75 cents,		4 50	
	J. Mitchell, for 6 days guarding privy, and work on sidewalk, at 75 cents,		4 50	
	C. Strickland, for 6 days labor on sidewalk, at 75 cents,		4 50	
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Mitchell, for 6 days labor on sidewalk, at 75 cents,		4 50	
	C. Strickland, for 6 days labor on sidewalk, at 75 cents,		4 50	
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50	
	J. Buncombe, for 6 days labor in capitol, at 75 cents,		4 50	
				\$ 192.00
May.	Solomon Bragg, for 6 days labor on capitol square, at \$1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	

1869.				
May.	R. Harrison, for 6 days labor on capitol square at 75 cents,	\$	4	50
	J. Mitchell, for 6 days labor on sidewalk, at 75 cents,		4	50
	C. Strickland, for 6 days labor on sidewalk, at 75 cents,		4	50
	J. Buncombe, for 6 days labor in capitol, at 75 cents,		4	50
	H. Hunter, for 6 nights guarding arsenal, at 1.50,		9	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7	50
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4	50
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4	50
	J. Mitchell, for 6 days labor on capitol square, at 75 cents,		4	50
	J. Buncombe, for 6 days labor on capitol square, at 75 cents,		4	50
	C. Strickland, for 6 days labor on capitol square, at 75 cents,		4	50
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10	50
	Andrew Jackson, for work done on capitol square,		1	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7	50
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4	50
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4	50
	C. Strickland, for 6 days labor on sidewalk, at 75 cents,		4	50
	J. Mitchell, for 2 days labor on sidewalk, at 75 cents,		1	50
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10	50
	J. Buncombe, for 6 days labor in capitol, at 75 cents,		4	50
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7	50

1869.				
May.	N. Hinton, for 6 days labor on capitol square, at 75 cents,	\$	4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Mitchell, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Buncombe, for 6 days labor on capitol square, at 75 cents,		4 50	
	C. Strickland, for 6 days labor on capitol square, at 75 cents,		4 50	
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, 6 days labor on capitol square, 75 cents,		4 50	
	J. Mitchell, 6 days labor on capitol square, 75 cents,		4 50	
	J. Buncombe, 6 days labor on capitol square, 75 cents,		4 50	
	C. Strickland, 6 days labor on capitol square, 75 cents,		4 50	
	H. Hunter, 7 nights guarding arsenal, 1.50,		10 50	
				\$ 199.00
June.	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	C. Strickland, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Buncombe, for 6 days labor in capitol, at 75 cents,		4 50	
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	

1869.				
June.	R. Harrison, for 6 days labor on capitol square, at 75 cents,	\$	4 50	
	C. Strickland, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Buncombe, for 6 days labor in capitol, at 75 cents,		4 50	
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50	
	H. Bishop, for 296 loads sand and gravel, at 50 cents,	148		
	H. Bishop, for 2 loads poles, at \$2,	4		
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	C. Strickland, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Buncombe, for 6 days labor in capitol, at 75 cents,		4 50	
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50	
	Solomon Bragg, for 5 days labor on capitol square, at 1.25,		6 25	
	C. Strickland, for 5 days labor on capitol square, at 75 cents,		3 75	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	H. Hunter, for 6 nights guarding arsenal, at 1.50,		9	
	J. Buncombe, for 6 days as waiter in capitol, at 75 cents,		3 50	
	John Flagg, for hauling 281 loads gravel for the walks in capitol square, at 50 cents,		140 50	
				\$ 433
July.	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	

1869.			
July.	R. Harrison, for 6 days labor on capitol square, at 75 cents,	\$	4 50
	J. Mitchell, for 6 days labor on capitol square, at 75 cents,		4 50
	J. Buncombe, for 6 days labor in capitol square, at 75 cents,		4 50
	H. Hunter, for 7 nights guarding arsenal, at 1.50,	10 50	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,	7 50	
	R. Harrison, for 4 days labor on capitol square, at 75 cents,	3	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,	4 50	
	C. Strickland, for 4 days labor on capitol square, at 75 cents,	3	
	J. Buncombe, for 6 days labor in capitol, at 75 cents,	4 50	
	H. Hunter, for 7 nights guarding arsenal, at 1.50.	10 50	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,	7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,	4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,	4 50	
	C. Strickland, for 6 days labor on capitol square, at 75 cents,	4 50	
	J. Buncombe, for 6 days labor in capitol, at 75 cents,	4 50	
	H. Hunter, for 7 nights guarding arsenal, at 1.50,	10 50	
	D. Bell, for hire of dray,	1 50	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,	7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,	4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,	4 50	
	C. Strickland, for 6 days labor on capitol square, at 75 cents,	4 50	
	J. Buncombe, for 6 days labor on capitol square, at 75 cents,	4 50	

1869.			
J.	H. Hunter, for 7 nights guarding arsenal, at 1.50,	\$	10 50
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50
	N. Hinton, 6 days labor on capitol square, at 75 cents,		4 50
	R. Harrison, for 4 days labor on capitol square, at 75 cents,		3
	C. Strickland, for 3 days labor on capitol square, at 75 cents,		2 25
	J. Buncombe, for 6 days labor in capitol, at 75 cents,		4 50
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50
			\$ 174 75
Aug.	Williams & Haywood, for 2 gallons spirits turpentine,		1 20
	Williams & Haywood, for 2 gallons boiled oil,		3
	Williams & Haywood, for 1 keg boiled oil,		1 50
	Williams & Haywood, for 23 gallons Asphaltum varnish, at \$2,		46
	Williams & Haywood, for dusters, at 50 cents,		1
	Williams & Haywood, for 2 brushes,		1 50
	Williams & Haywood, for 2 brushes,		1 80
	Williams & Haywood, for 4 brushes,		1
	Williams & Haywood, for 2 lbs. pat. dryer,		50
	Williams & Haywood, for 1 lb. chrome green,		35
	Williams & Haywood, for 2 lbs. white glue,		1 50
	Williams & Haywood, for 50 lbs. Lewis lead,		8 50
	Williams & Haywood, for 2 white-wash brushes,		1 50
	Williams & Haywood, for 5 lbs. putty,		40

1869.			
Aug.	Williams & Haywood, for 1 qr. sand paper,	8	40
	Williams & Haywood, for 50 lbs. white lead,		8 50
	Williams & Haywood, for 2 gal- lons spirits turpentine,		1 20
	Williams & Haywood, for 25 lbs, Lewis lead,		4 25
	Williams & Haywood, for 25 lbs. Buck lead,		4 25
	Williams & Haywood, for 50 lbs. Buck lead,		8 50
	Williams & Haywood, for 2 gal- lons spirits turpentine,		1 20
	Williams & Haywood, for 2 gal- lons linseed oil.	3	
	Williams & Haywood, for 2 lbs. pat. dryer,		50
	Williams & Haywood, for 50 lbs. Buck lead,		8 50
	Williams & Haywood, for 1 gal- lon linseed oil,		1 50
	Williams & Haywood, for 1 keg lead,		4 25
	Williams & Haywood, for 50 lbs. white lead,		8 50
	Williams & Haywood, for 2 gal- lons turpentine,		1 20
	Williams & Haywood, for 2 gal- lons furniture varnish,	7	
	Williams & Haywood, for 1 gal- lon furniture varnish,		3 50
	Williams & Haywood, for 1 gal- lon demijohn of varnish,	4	
	Williams & Haywood, for 1 lb. chrome green,		35
	Williams & Haywood, for 25 lbs. Buck lead,		4 25
	Williams & Haywood, for 1 qrt demijohn of varnish,	1	
	Williams & Haywood, for $\frac{1}{2}$ lb. white glue,		40

1869.	Williams & Haywood, for glass,		
Aug.	10x12,	\$	30
	Williams & Haywood, for 2 gal-		
	lons turpentine,		1 20
	Williams & Haywood, for 50 lbs.		
	Buck lead,		8 50
	Williams & Haywood, for 1 lb.		
	white glue,		75
	Williams & Haywood, for 1 bbl.,		
	42 gallons, Asphultum varnish.		
	at \$2 per gallon,	84	
	Williams & Haywood, for 1 bbl.		
	for varnish,	2	
	Williams & Haywood, for 50 lbs.		
	Buck lead,		8 50
	Williams & Haywood, for 1 gal-		
	lon linseed oil,		1 50
	Williams & Haywood, for 2 lbs.		
	pat. dryer,		50
	Williams & Haywood, for 2 gal-		
	lons spirits turpentine,		1 20
	Williams & Haywood, for 1 keg		
	Buck lead,		4 25
	Williams & Haywood, for 1 quart		
	varnish,		1
	Williams & Haywood, for $\frac{1}{2}$ lb		
	white glue,		38
	Williams & Haywood, for 12		
	sheets sand paper		20
	Williams & Haywood, for 100 lbs.		
	Buck lead,	17	
	Williams & Haywood, for 1 lb.		
	chrome green,		35
	Williams & Haywood, for patent		
	dryer,		25
	Williams & Haywood, for 1 gallon		
	turpentine,		60
	Williams & Haywood, for 100 lbs.		
	Buck lead,	17	
	Williams & Haywood, for 1 lb.		
	patent dryer,		25
	Williams & Haywood, for 2 gal-		
	lons turpentine,		1 20

1869.			
Aug.	Williams & Haywood, for half gallon linseed,	\$	75
	Williams & Haywood, for 2 qrts. varnish,		2
	Williams & Haywood, for 1 gallon furniture varnish,		3 50
	Williams & Haywood, for 1 pint demijohn,		50
	Williams & Haywood, for $\frac{1}{4}$ lb. lamp black,		05
	Williams & Haywood, for 3 lbs. chrome green,		1 05
	Williams & Haywood, for 9 gallons Asphaltum varnish,	19	
	Williams & Haywood, for 1 box 60 lbs. sout, at 15 cents,	9	
	Williams & Haywood, for 1 lb. Venitian red in oil,		30
	Williams & Haywood, for 1 lb. chrome yellow,		35
	Williams & Haywood, for 1 gallon linseed oil,	1 50	
	Williams & Haywood, for 1 lb. patent dryer,		25
	Williams & Haywood, for 1 gallon turpentine,		60
	Williams & Haywood, for 3 3-8 gallons Asphaltum varnish,	6 75	
	Williams & Haywood, for 1 gallon Copal varnish,	3 50	
	Williams & Haywood, for 1 lb. chrome green,		35
	Williams & Haywood, for 1 lb patent dryer,		25
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,	7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,	4 50	
	R. Harrison, 6 days labor on capitol square, at 75 cents,	4 50	
	C. Strickland, for 6 days labor on capitol square, at 75 cents,	4 50	

1869.				
Aug.	J. Buncombe, 6 days servives in capitol, 75 cents,	\$	4 50	
	H. Hunter, 7 nights guarding arsenal, 1.50,		10 50	
	Solomon Bragg, 6 days labor on capitol square, 1.25,		7 50	
	N. Hinton, 6 days labor on capitol square, 75 cents,		4 50	
	R. Harrison, 6 days labor on capitol square, 75 cents,		4 50	
	C. Strickland, 6 days labor on capitol square, at 75 cents,		4 50	
	J. Buncombe, 6 days services in capitol, 75 cents,		4 50	
	H. Hunter, 7 nights guarding arsenal, 1.50,		10 50	
	Solomon Bragg, 6 days labor on capitol square, 1.25		7 50	
	N. Hinton, 6 days labor on capitol square, 75 cents,		4 50	
	R. Harrison, 6 days labor on capitol square, 75 cents,		4 50	
	C. Strickland, 4 days labor on capitol square, 75 cents,		3	
	J. Buncombe, for 6 days labor in capitol, at 75 cents,		4 50	
	H. Hunter, 7 nights guarding arsenal, 1.50,		10 50	
	Solomon Bragg, 6 days labor on capitol square, 1.25,		7 50	
	N. Hinton, 6 days labor on capitol square, 75 cents,		4 50	
	R. Harrison, 6 days labor on capitol square, 75 cents,		4 50	
	C. Strickland, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Buncombe, 6 days services in capitol, 75 cents,		4 50	
	H. Hunter, 7 nights guarding arsenal, 1.50,		10 50	
				489.13
Sept.	Solomon Bragg, 6 days labor on capitol square, 1.25,		7 50	

1869.			
Sept.	N. Hinton, 6 days labor on capitol square, 75 cents,	\$	4 50
	R. Harrison, 6 days labor on capitol square, 75 cents,		4 50
	C. Strickland, for 3 days labor on capitol square, 75 cents,		2 25
	J. Buncombe, 6 days labor in capitol, 75 cents,		4 50
	H. Hunter, 7 nights guarding arsenal, 1.50,		10 50
	Solomon Bragg, for 6 days labor on capitol square, 1.25,		7 50
	N. Hinton, 6 days labor on capitol square, 75 cents,		4 50
	R. Harrison, 6 days labor on capitol square, 75 cents,		4 50
	C. Strickland, 6 days labor on capitol square, 75 cents,		4 50
	J. Buncombe, 6 days labor in capitol, 75 cents,		4 50
	H. Hunter, 7 nights guarding arsenal, 1.50,		10 50
	Solomon Bragg, for 6 days labor on capitol square, 1.25,		7 50
	N. Hinton, for 6 days labor on capitol square, 75 cents,		4 50
	R. Harrison, for 6 days labor on capitol square, 75 cents,		4 50
	C. Strickland, 6 days labor on capitol square, 75 cents,		4 50
	Jas. Buncombe, 6 days labor in capitol, 75 cents,		4 50
	H. Hunter, for 7 nights guarding arsenal, 1.50,		10 50
	Solomon Bragg, 6 days labor on capitol square, 1.25,		7 50
	N. Hinton, 6 days labor on capitol square, 75 cents,		4 50
	R. Harrison, 6 days labor on capitol square, 75 cents,		4 50
	C. Strickland, 6 days labor on capitol square, 75 cents,		4 50

1869.			
Sept.	Jas. Buncombe, 6 days labor in capitol, 75 cents,	\$ 4 50	
			\$ 127 25
Oct.	H. Hunter, 7 nights guarding arsenal, 1.50,	10 50	
	Solomon Bragg, 6 days labor on capitol square, 1.25,	7 50	
	N. Hinton, 6 days labor on capitol square, 75 cents,	4 50	
	R. Harrison, 6 days labor on capitol square, 75 cents,	4 50	
	C. Strickland, for 6 days labor on capitol square, 75 cents,	4 50	
	J. Buncombe, for 6 days labor in capitol, 75 cents,	4 50	
	H. Hunter, for 7 nights guarding arsenal, 1.50,	10 50	
	Solomon Bragg, for 6 days labor on capitol square, 1.25,	7 50	
	N. Hinton, for 6 days labor on capitol square, 75 cents,	4 50	
	R. Harrison, 6 days labor on capitol square, 75 cents,	4 50	
	C. Strickland, for 6 days labor on capitol square, 75 cents,	4 50	
	J. Buncombe, for 6 days labor in capitol, 75 cents,	4 50	
	H. Hunter, 7 nights guarding arsenal, 1.50,	10 50	
	Solomon Bragg, 6 days labor on capitol square, 1.25,	7 50	
	N. Hinton, 6 days labor on capitol square, 75 cents,	4 50	
	R. Harrison, 6 days labor on capitol square, 75 cents,	4 50	
	C. Strickland, for 6 days labor on capitol square, 75 cents,	4 50	
	J. Buncombe, for 6 days labor in capitol, 75 cents,	4 50	
	H. Hunter, 7 nights guarding arsenal, 1.50,	10 50	
	Solomon Bragg, for 6 days labor on capitol square, 1.25,	7 50	

1869.				
Oct.	N. Hinton, 6 days labor on capitol square, 75 cents,	\$	4 50	
	R. Harrison, for 6 days labor on capitol square, 75 cents,		4 50	
	C. Strickland, for 6 days labor on capitol square, 75 cents,		4 50	
	J. Buncombe, for 6 days labor in capitol, at 75 cents,		4 50	
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	C. Strickland, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Buncombe, for 6 days labor in capitol, at 75 cents,		4 50	
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50	
				\$ 180 00
Nov.	Solomon Bragg, 6 days labor on capitol square, 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	C. Strickland, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Buncombe, for 6 days labor in capitol, at 75 cents,		4 50	
	Henry Hunter, 7 nights guarding arsenal, 1.50,		10 50	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	C. Strickland, for 6 days labor on capitol square, at 75 cents,		4 05	

1869.
Nov.

J. Buncombe, for 6 days labor in capitol, at 75 cents,	\$	4 50
H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50
S. Jones, for 6 days labor on capitol square, at 75 cents,		4 50
T. Manly, for 6 days labor on capitol square, at 75 cents,		4 50
M. Freeman, for 6 days labor on capitol square, at 75 cents,		4 50
R. Hall, for 6 days labor on capitol square, at 75 cents,		4 50
John Flagg, for hauling 6 loads rubbish, at 50 cents,		3
J. Cox, for hauling 2 loads rubbish, at 50 cents,		1
J. Edgeton, for 6 days labor on capitol square, at 75 cents,		4 50
B. Smith, for 5 days labor on capitol square, at 75 cents,		3 75
Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50
N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50
R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50
C. Strickland, for 6 days labor on capitol square, at 1.00,		6
J. Buncombe, for 6 days labor in capitol, at 75 cents,		4 50
H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50
B. Jones, 6 days guarding privy, at 75 cents,		4 50
M. Freeman, for 6 days labor on capitol square, at 75 cents,		4 50
S. Jones, for 6 days labor on capitol square, at 75 cents,		4 50
T. Manly, for 6 days labor on capitol square, at 75 cents,		4 50
John Flagg, for hauling rubbish,		1 00
E. Williams, for repairing gates and fence around capitol,		9

1869.				
Nov.	Solomon Bragg, for 6 days labor on capitol square, at 1.25,	\$	7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	C. Strickland, for 6 days labor on capitol square, at 75 cents,		4 50	
	S. Jones, for 6 days labor on capitol square at 75 cents,		4 50	
	M. Freeman, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Buncombe, 6 days labor in capitol, at 75 cents,		4 50	
	H. Hunter, 7 nights guarding arsenal, 1.50,		10 50	
				\$ 214 75
Dec.	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	C. Strickland, 6 days labor on capitol square, at 1.00,		6	
	M. Freeman, for 6 days labor on capitol square, at 75 cents,		4 50	
	S. Jones, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Cope, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Hinnant, for 6 days labor on capitol square, at 75 cents,		4 50	
	A. James, for 6 days labor on capitol square, at 75 cents,		4 50	
	B. Jones, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Buncombe, for 7 days labor in capitol, at 75 cents,		5 25	
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50	

1869.			
Dec.	Solomon Bragg, for 6 days labor on capitol square, at 1.25,	\$	7 50
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50
	C. Strickland, for 7 days labor on capitol square, at 1.00,		7
	J. Buncombe, for 6 days service in capitol, at 1.00,		7
	H. Hunter, for 7 nights guarding arsenal at 1.50,		10 50
	B. Jones, for 6 days guarding privy, at 75 cents,		4 50
	S. Jones, for 6 days duty in capitol at 75 cents,		4 50
	J. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50
	M. Freeman, for 6 days labor on capitol square, at 75 cents,		4 50
	J. Cope, for 6 days labor on capitol square, at 75 cents,		4 50
	J. Flagg, for 15 loads manure and hauling 2 loads extra,		15 50
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50
	C. Strickland, for 7 days labor on capitol square, at 1.00,		7
	J. Buncombe, for 7 days service in capitol, at 1.00,		7
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50
	S. Jones, for 6 days labor on capitol square, at 75 cents,		4 50
	J. Hinnant, for 6 days labor on capitol square, at 75 cents,		4 50
	M. Freeman, for 6 days labor on capitol square, at 75 cents,		4 50

1869.				
Dec.	J. Cope, for 6 days labor on capitol square, at 75 cents,	\$	4 50	
	B. Jones, for 6 days labor on capitol square, at 75 cents,		4 50	
	Solomon Bragg, 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, 6 days labor on capitol square, at 75 cents,		4 50	
	C. Strickland, for 7 days labor on capitol square, at 1.00,		7	
	J. Buncombe, for 6 days labor in capitol, at 1.00,		6	
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50	
	S. Jones, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Pope, for 6 days labor on capitol square, at 75 cents,		4 50	
	J. Pope, for hauling rubbish from ground,		4	
1870.				\$ 263 75
Jan.	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	C. Strickland, for 7 days labor on capitol square, at 1.00,		7	
	J. Buncombe, 7 days labor in capitol, at 1.00,		7	
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50	
	S. Jones, for 6 days labor on capitol square, at 1.00,		6	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	

1869.			
Jan.	C. Strickland, for 7 days labor on capitol square, at 1.00,	\$	7 00
	J. Buncombe, for 7 days labor in capitol at 1.00,		7 00
	Henry Hunter, guarding arsenal 7 nights, 1.50,		10 50
	S. Jones, for 6 days labor in capitol, at 75 cents,		4 50
	D. Horn, for 6 days labor in capitol at 75 cents,		4 50
	B. Sheppard, for 10 days labor on capitol square, at 3.00,		30
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50
	C. Strickland, for 7 days labor on capitol square, at 1.00,		7
	J. Buncombe, for 7 days labor in capitol, at 1.00		7
	D. Horn, for 7 days labor in capitol, at 1.00,		7
	S. Jones, for 7 days labor in capitol, at 1.00,		7
	A. James, for 6 days labor capitol square, at 75 cents,		4 50
	B. Jones, for 6 days guarding privy, at 75 cents,		4 50
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50
	Solomon Bragg, 6 days labor on capitol square, 1.25,		7 50
	N. Hinton, 6 days labor on capitol square, at 75 cents,		4 50
	R. Harrison, 6 days labor on capitol square, 75 cents,		4 50
	C. Strickland, for 7 days labor on capitol square, at 1.00,		7
	J. Buncombe, for 7 days labor in in capitol at 1.00,		7

1870.				
Jan.	H. Hunter, 7 nights guarding arsenal, 1.50,	\$	10 50	
	S. Jones, for 7 days labor in capitol, at 1.00,		7	
	B. Jones, for 7 days guarding privy, at 75 cents,		5 25	
	A. Jones, for 6 days labor in capitol square, at 75 cents,		4 50	
	D. Horn, for 7 days labor in capitol, at 1.00,		7	
	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	C. Strickland, for 7 days labor on capitol square, at 1.00,		7	
	J. Buncombe, for 7 days labor in capitol, at 1.00,		7	
	S. Jones, for 7 days labor in capitol, at 1.00,		7	
	D. Horn, for 7 days labor in capitol, at 1.00,		7	
	A. James, for 6 days labor on capitol square, at 75 cents,		4 50	
	H. Hunter, for 7 nights guarding arsenal, at 1.50,		10 50	
	J. Jones, for 7 days guarding privy, at 1.00,		7	
				\$ 322 25
Feb.	Solomon Bragg, for 6 days labor on capitol square, at 1.25,		7 50	
	N. Hinton, for 6 days labor on capitol square, at 75 cents,		4 50	
	R. Harrison, for 6 days labor on capitol square, at 75 cents,		4 50	
	C. Strickland, for 7 days labor on capitol square, at 1.00,		7	
	J. Buncombe, for 7 days labor in capitol, 1.00,		7	
	H. Hunter, 7 nights guarding arsenal, 1.50,		10 50	

1870.				
Feb.	D. Horn, for 7 days labor in capitol, 1.00,	\$	7	
	S. Jones, for 7 days labor in capitol, 1.00,		7	
	A. James, for 6 days labor in capitol, 75 cents,		4	50
	J. Jones, for 7 days guarding privy, 1.00,		7	
				\$ 66 50

REPORT OF THE SENATE INVESTIGATION COMMISSION.

To Lieutenant Governor CALDWELL, President of the Senate :

The Commission appointed under the "Senate resolution for investigation," of January 24th, 1870, ask leave, under the instructions to that effect recently received from the Senate, to submit the following report :

Although duly notified of their appointment shortly after it was made, it was deemed proper by the Commission not to enter upon their duties until after the passage of a law which was proposed in the Senate, to ascertain and confirm the powers with which they had been invested under the original resolution. This occurred upon the 16th of February last, and upon the 18th the Commission completed their organization by the appointment of Mr. Henry M. Miller as clerk, and ordered that certain persons should be summoned to attend before them as witnesses upon various days in the order mentioned.

In the course of their labors, the Commission have examined, at length, the following persons, to-wit :

Messrs. Edward Belo, Jesse R. Stubbs, William Johnston, Robert H. Cowan, I. T. Alderman, William Sloan, J. J. Mott, Sam'l McD. Tate, R. F. Simonton, Calvin J. Cowles, A. J. Jones, Rufus Y. McAden, K. P. Battle, W. J. Hawkins, M.

S. Littlefield, T. F. Lee, D. G. Fowle, H. C. Cowles, W. B. Richardson, J. H. Davis, W. F. Askew, T. S. Lutterloh, S. W. Watts and B. S. Guion.

None of the persons summoned before them failed to appear except Mr. George W. Swepson, for whom a summons, directing his appearance on the 3d day of March, was placed in the hands of the Sheriff of Wake county upon the 22d day of February. This was served upon him personally on the 1st day of March, as appears by the Sheriff's return. Other notices of the same sort were issued for Messrs. Good M. Roberts, Treasurer of the Western North Carolina Railroad Company, (W. D.) and R. W. Pulliam, but owing to their absence in New York, as appears from the return, these were not served.

It is proper to say here, once for all, that with the above exceptions, no difficulty has been made by any one in regard to attendance ; nor any in regard to interrogatories, except in two instances which were allowed by the Commission ; and that the officers of the State, to whom there has been occasion to apply for information or assistance, have rendered it at once and cheerfully.

The Commission presume that the chief object of the Senate in their appointment, has been attained in the procurement and recording of the mass of evidence herewith submitted. The statements, made by the witnesses under oath, have been taken down in their presence, read over to them, first, answer by answer, and, then, in the whole ; and are further verified by their respective signatures. The Senate will judge whether the Commission have prosecuted their investigations in the proper direction as regards witnesses, and with the proper range of inquiry in each individual case.

The testimony will be found to cover two hundred and five manuscript pages. Although not inconsiderable in bulk, it is not complicated in detail ; and the comparative magnitude of the interests which it involves is such that the Commission do not feel themselves justified in detaining the Senate with

remarks upon the particulars of which it is composed, or in acting upon the supposition that every part of it will not be subjected to an impartial and thorough scrutiny.

The Senate will find most of the results summed up in three schedules, which are hereto attached.

Of these :

The *first* contains a statement of the details connected with the issue of State bonds to the various railroad companies by the Treasurer, and was compiled by that officer for the use of the Commission.

The *second* gives an account of the disposal of the bonds after they came into the hands of the companies.

The *third* shows the amounts in money for which the bonds have been sold or hypothecated.

The Commission desired to prepare a *fourth* to exhibit at one view the principal items of expenditure by which these amounts had been partially, or totally exhausted ; but, upon consideration, it was thought better to present this view in the body of the report ; the more because the information in regard to this matter is very general, and merely an approximation to the truth. It was not expected that the Commission should examine and verify vouchers for expenditures in detail. With the general objects presented to them, and with the time allowed for their operations, this was impracticable. An examination of the testimony will show other reasons why, in any case, only an approximation could be had. Indeed, this is true as well in regard to the figures representing the amounts received by the companies upon the sale or hypothecation of the bonds. By reference to the testimony of Messrs. McAden and Jones, explanations will be found going to show that by the rules of the New York stock-board a deduction is made for all North Carolina bonds issued after July 1st, 1868, at the rate of six per cent. per annum upon their face, so that a bond dated October 1st, 1869, if apparently sold at twenty-five dollars in the hundred, would, in the first instance, be subject to a deduction of seven and one-half dollars, and they nett to the

Company but seventeen dollars and a half, less taxes and commissions for sales.

To complete the general view afforded by the schedules, the Commission add the following statements, obtained from the evidence herewith submitted, in regard to each one of the companies that have received appropriations from the State since May 1st, 1865.

✓ I. THE WESTERN N. C. R. R. COMPANY, (W. D.)

To this company were issued between January 20th and October 2nd, 1869, through George W. Swepson 6,367 State bonds. Of these 3,132 are said to have been sold, and 1,924 hypothecated; and of the amounts received upon this account, our attention has been drawn to some \$1,945,000.00 which appears in the papers submitted by Gen. Littlefield. No testimony except hearsay has been submitted to the commission, as to the dealings of Mr. Swepson, with either the bonds or their proceeds. In the evidence of Gen. Littlefield will be found certain papers, unverified in any way, which he reports as having come into his hands from either Mr. Swepson, or Soutter & Co., of New York. He could give no assurance that they were correct. Mr. Swepson has at no time rendered to him an account of his transactions as President. Gen. Littlefield charges himself with a certain sum of money, as received from Mr. Swepson, and gives a statement of the manner in which that has been expended; but, excepting certain Florida railroad bonds turned over by Mr. Swepson, he could give no account of the manner in which the latter had disposed of either bonds or proceeds. The papers and statements above referred to show that Mr. Swepson sold and hypothecated the 5,056 bonds mentioned above; that of their proceeds he turned over to Gen. Littlefield \$136,277.33; expended \$275,838.31, of which, for contractors and the treasurer of the company, \$27,311.41; invested \$990,533.39, in bonds of the Pensacola and Georgia Railroad Company, and otherwise; and leaves

unaccounted for about \$640,000. The *bona fides* of the Florida investment is understood to be a question not settled betwixt Mr. Swepson and the company. It also appears that the figures submitted to commission in this connection do not include the whole of the proceeds of that part of the bonds which was hypothecated.

Gen. Littlefield's statements show, that he received as President of this company from his predecessor, Mr. Swepson, \$18,925.83 in cash, and \$112,946.13 in an order upon the New York National Trust Company, which held certain bonds hypothecated by Mr. Swepson, and that of this, he paid the engineer, contractors, and the treasurer of the company \$127,471.96, and otherwise \$4,400, in all \$131,871.96. He explains that the "protection" consisted in relieving these bonds from certain legal difficulties by which they had been encumbered, previously to his taking office, in Florida. He believes that within a few days this property of the said company will be entirely disentangled and available.

✓ II. THE WESTERN N. C. R. R. COMPANY, (E. D.)

It will be seen that all of the bonds issued to this Company have been either sold or hypothecated, and that the amount raised therefrom was \$1,234,760.42. It appears from the evidence that all of this has been expended in various matters connected with the construction of the Railroad. The evidence of Messrs. Tate, Simonton, Mott and H. C. Cowles, will be found interesting in this connection: in addition thereto, there will be found exhibits, printed and in manuscript, containing official accounts rendered by the above persons to the company, and to the commission.

✓ III. THE WILMINGTON, CHARLOTTE AND RUTHERFORD R. R. CO.

The proceeds and hypothecation of the bonds issued to this company are \$1,029,548.46. Of this it appears that all ex-

cepting about \$10,000, now on hand, has been expended in such matters as are ordinarily connected with the construction of railroads. The facts connected with this road will be found in evidence and exhibits submitted by Messrs. Cowan, Sloan, Alderman and C. J. Cowles.

Upon reference to Schedule No. 1, it will be seen that twenty-three of the bonds issued to this company are charged to H. H. Robinson, and were delivered under the authority of the act of 1866-'67, ch. 56. On reference to that act, it will be found that these items have no connection with the subject matter of this investigation, being merely an exchange of that number of bonds for others then in his possession.

IV. THE WILLIAMSTON AND TARBORO' RAILROAD COMPANY.

All of the bonds issued to this company were sold to or by John F. Pickrell, of New York, for \$160,948.47, and by the accounts rendered through the officers of the company, it appears to have been expended in the ordinary details of constructing railroads. The evidence upon this item is in the deposition of Gen. Stubbs, and the exhibits filed therewith.

V. THE NORTH-WESTERN N. C. R. R. COMPANY.

All of the bonds issued to this company have been returned to the State "without prejudice," as is understood. Mr. Belo's deposition shows that no use whatever was made of them while in his possession.

VI. THE CHATHAM RAILROAD COMPANY.

Of the 3,200 bonds issued to this company, 1,650 have been returned "without prejudice," to the State. The proceeds from the 1,502 that have been sold are \$935,627.29. The 48 under pledge are bound for a running account in the purchase of iron, the amount of which is not ascertained. The money

realized from the sale of bonds appears to have been applied to the ordinary expenses of constructing railroads, as well as, in small part, to regular expenses connected with the defence of the Chatham Railroad case, as it is called. There is still upon hand \$250,067.82. The evidence upon this item is given by Dr. Hawkins, and accompanied by an exhibit from W. W. Vass as Treasurer.

VII. THE WESTERN RAILROAD COMPANY.

✓ The proceeds from the sale of 55 State bonds and some coupons are \$51,193.13. Some \$7,500 of this has been paid out for ordinary expenses, and the remainder, \$43,693.13, is upon deposit in the banking house of Jones & Lutterloh, at Fayetteville. Certificates were exhibited by the President, in the names of Utley & Dougherty and L. P. Bayne & Co., of New York, acknowledge that they hold for the company, unincumbered 1,253 bonds; and 12 other bonds were shown the commission in the hands of the President himself. The evidence is furnished by Messrs. Jones, Davis and Lutterloh.

VIII. THE ATLANTIC, TENN. AND OHIO RAILROAD COMPANY.

It will be seen that no use has been made of these bonds in connection with the end for which they were issued; and no use whatever except in connection with the action brought in Wake Court, in the name of Robert C. Kehoe, against the said Company and State Treasurer, of which a transcript is herewith filed. The object of that suit apparently was to restrain the issuing of the bonds upon the allegation that they were unconstitutional, and thus void. An injunction was obtained upon that allegation. The suit, however, was compromised, and the injunction vacated before any term of the Court had occurred, by the Company's agreeing to pay to the attorneys of the plaintiff seventy-five bonds, after the same should be issued. In the event, it happened that 77 bonds

were so paid; and besides that, 86 others were expended by the company in some connection with the suit. It does not appear what their connection was, or that the plaintiff was interested therein. Apparently his claims were satisfied by the seventy-seven.

The commission refer to the evidence of Messrs. Johnston, McAden, Sloan, Battle, Fowle, Littlefield, Watts, Lee and Askew in this connection. It appears from a certificate of the Treasurer that 1597 of these bonds have been returned to the State.

The evidence of Messrs. Hawkins, Tate, Sloan, and Guion, details, amongst other matters, circumstances bearing upon the question, how far any of the bonds, issued since May 1st, 1865, or the proceeds of such bonds, have been used to forward legislation, for these and like appropriations. For the rest, it will be seen that with two exceptions in which the persons claimed and were allowed the privilege of not testifying upon that point, direct and full denial have been made by every witness supposed to have any information thereabouts, of any knowledge in regard to such use of the said bonds or their proceeds.

It will doubtless be borne in mind that the investigation of the commission into these matters, was by the Senate expressly limited to any improper employment *of those bonds; or of their proceeds.*

Some evidence of an application of these bonds or their proceeds to private purposes, will be found in the depositions of Gen. Littlefield, and Messrs. Jones, Tate, and Lutterloh, otherwise, such application has been denied.

The commission have not drawn upon the funds set apart by the General Assembly for their expenses. A certified statement thereof accompanies this report. It will be found that including the fees of officers for summoning witnesses, and of the Clerk of Wake county for a transcript, they amount to \$20 13. This does not include the pay due to the Clerk of the Commission, who, we take occasion to say, has been very

laboriously employed—often late into the night. The Commission, in order to comply with the recent instructions of the Senate for an early report, have been under the necessity of employing a second clerk for the last night and two days of their session.

Respectfully submitted,

THOMAS BRAGG,
S. F. PHILLIPS,
WILL. L. SCOTT,

Raleigh, March 12th, 1870.

EXPENSES OF THE COMMISSION.

For telegrams,	\$ 2 33
For certified copy of record in case of Kehoe <i>vs.</i> Atlantic, Tennessee & Ohio Railroad Com- pany and State Treasurer,	9 00
Sheriffs' fees,	7 80
For one blank book for journal,	1 00
	<hr/>
	\$20 13

THOMAS BRAGG,
Chairman.

March 12th, 1870.

STATE OF NORTH CAROLINA,
TREASURY DEPARTMENT,
Raleigh, Feb. 18th, 1870.

HON. THOS. BRAGG, *Chairman, &c.*:

DEAR SIR:—I furnish herewith, as requested, a tabular statement of State bonds issued from this department since March 1st, 1865, to railroad corporations, embracing such details as called for.

By reference to the issue of \$50,000, October 1st, 1866, to the Western N. C. R. R. Co., receipted for by S. McD. Tate, President, it will be seen that there is an omission of one number, as compared with the preceding numbers, which is 3,721. This is explained by the letter-book as well as the record-book of bonds in this office, which shows that in ordering this instalment of bonds that number was omitted inadvertently. No bond for that Company, bearing the number referred to, was ever issued.

Very respectfully,

D. A. JENKINS, *State Treasurer*,
per D. W. BAIN, *Chief Clerk*.

STATE OF NORTH CAROLINA
TREASURY DEPARTMENT,
Raleigh, March 18th, 1870.

HON. THOS. BRAGG, *Chairman, &c.*:

SIR:—In compliance with a request from you, on behalf of the Investigating Committee, I report that State bonds have been returned to the Treasury, in conformity to an act of the

General Assembly, ratified February 5th, 1870, entitled "An act to restore the credit of the State and facilitate the construction of our unfinished railroads," as follows:

Feb. 22d, 1870. By E. Belo, President of North Western North Carolina Railroad Company, bonds issued to said company,.....	\$1,080,000
March 5th, 1870. By W. J. Hawkins, President of Chatham Railroad Company, bonds issued to said company,.....	1,650,000
March 5th, 1870. By Wm. Johnston, President of Atlantic, Tennessee & Ohio Railroad Company, bonds issued to said company,.....	1,597,000
<hr/>	
The entire amount returned is.....	\$4,327,000

Very respectfully,

D. A. JENKINS, *State Treasurer,*
per D. W. BAIN, *Chief Clerk.*

SCHEDULE NO. 1.

STATEMENT OF BONDS ISSUED BY THE STATE OF NORTH CAROLINA TO RAIL ROAD CORPORATIONS SINCE
MARCH 1ST, 1865, &c., &c.

NAME OF CORPORATION.	AMOUNT OF EACH DELIVERY.	TOTAL AMOUNT OF ISSUE.	NUMBER OF BONDS.	DATE OF BONDS.	TO WHOM DELIVERED.	DATE OF DELIVERY.	AUTHORITY UNDER WHICH ISSUED.
W. N. C. R. R. Co.	\$ 50,000		3671 to 3720	July 1, 1866.	Samuel McD. Tate, Pres't,	July 1, 1866.	Acts of 1854-'55, chap. 238, sec. 35.
" "	50,000		3722 to 3771	Oct. 1, 1866.	" " "	Oct. 1, 1866.	" " " " " " " "
" "	750,000		3772 to 4521	July 1, 1867.	" " "	Sept. 3, 1867.	Acts of 1854-'55, ch. 238, amended by acts 1866-'67, ch. 98 and 106.
" "	600,000		4522 to 5171	Jan'y 1, 1868.	" " "	April 2, 1868.	" " " " " " " "
" "	50,000		4522 to 4571	July 1, 1867.	R. F. Simonton, Treasurer.	April 16, 1868.	" " " " " " " "
" "	723,000		5172 to 5894	Jan'y 1, 1868.	" " "	" " "	" " " " " " " "
" "	340,000		5914 to 6253	Oct. 1, 1868.	Henry C. Cowles, Treas'r.	May 20, 1869.	Acts of 1868-'69, chapter 20.
" "	273,000		6254 to 6940	April 1, 1869.	J. J. Mott, President.	June 23, 1869.	These bonds were issued for Eastern Division, as now called, of Western N. C. Railroad.
W. N. C. R. R. Co., Western Division.	\$ 500,000	\$2,836,000	1001 to 1500	Oct. 1, 1868.	Geo. W. Swepson, Pres't,	Jan. 20, 1869.	Acts of 1868-'69, chapter 7.
" "	500,000		1501 to 2000	" " "	" " "	" 22, "	" " " " " " " "
" "	500,000		2001 to 2500	" " "	" " "	" 27, "	" " " " " " " "
" "	500,000		2501 to 3000	" " "	" " "	" 30, "	" " " " " " " "
" "	1,000,000		3001 to 4000	" " "	" " "	Feb. 18, "	" " " " " " " "
" "	991,000		1 to 250, 253 to 287, 292, 1263, 204, 296 to 939, 941 to 999.	" " "	Geo. W. Swepson, Pres't, per G. Rosenthal,		" " " " " " " "
" "	9,000		251, 252, 288, 289, 290, 291, 295, 940, 1000, }	" " "	Geo. W. Swepson, Pres't,	Mar. 23, 1869.	{ Special session 1868, chapter 24. These bonds were authorized to be returned to the Treasury and exchanged for others to be issued under act of 1868-'69, chapter 7, but have not been returned. See ch. 7 for explanation.
" "	2,100,000		4001 to 6100	April 1, 1869.	Geo. W. Swepson, Pres't,	June 2, 1869.	Acts of 1868-'69, chapter 20.

SCHEDULE No. 1.—(Continued.)

NAME OF CORPORATION.	AMOUNT OF EACH DELIV'RY. OF ISSUE.	TOTAL AMOUNT OF ISSUE.	NUMBER OF BONDS.	DATE OF BONDS.	TO WHOM DELIVERED.	DATE OF DELIVERY.	AUTHORITY UNDER WHICH ISSUED
W. N. C. R. R. Co., Western Division.	\$1 87,000 180,000	\$6,307,000	6101 to 6187 6188 to 6367	April 1, 1869. " " " "	Geo. W. Swepson, per G. Rosenthal, " "	July 1, 1869. Oct. 2, 1869.	Acts of 1868-'69, chapter 20. " " " "
W. C. & R. R. Co.,	430,000			Jan'y 1, 1866.	R. H. Cowan, President.	Mar. 19, 1866.	Acts of 1860-'61, ch. 142 and amended by act 1865-'66, ch. 3.
" " "	13,000		4358 to 4370	Jan'y 1, 1867.	H. H. Robinson, per Ex. Co.,	April 27, 1867.	Acts of 1860-'61, ch. 142 and amended by act 1866-'67, chapter 56.
" " "	10,000		4401 to 4410	Jan'y 1, 1867.	H. H. Robinson, per R. W. Puliam, Attorney.	May 13, 1867.	" " " "
" " "	1,000,000		1 to 1000	April 1, 1869.	J. T. Alderman, Treasurer.	June 1, 1869.	Acts of 1868-'69, chapter 21.
" " "	500,000		1001 to 1500	" " "	William Sloan, President.	Oct. 13, 1869.	" " " "
" " "	1,500,000		1501 to 3000	" " "	Calvin J. Cowles, Treasurer.	Dec. 17, 1869.	" " " "
Western R. R. Co.	1,320,000	1,320,000	501 to 1320	" " "	A. J. Jones, President.	June 22, 1869.	Acts of 1868-'69, chapter 28.
Chatham R. R. Co.	1,200,000		1 to 1200	" " "	W. J. Hawkins, President.	Aug. 20, 1868.	Ordinance of Convention, 1868, chapter 19.
" " "	2,000,000		1201 to 3200	Oct. 1, 1868.	W. J. Hawkins, President.	Oct. 19, 1868.	Acts of special session 1868, ch. 14.
W. & T. R. R. Co.,	300,000	300,000	1 to 300	Oct. 1, 1868.	Jesse R. Stubbs, President.	Nov. 11, 1868.	Acts special session, 1868, ch. 15. These bonds were subsequently returned (with the exception of thirteen) some by the company and others by private parties, and exchanged for other bonds as authorized by act of 1868-'69, chapter 7. See said act for explanation.
N. W. N. C. R. R. Co.,	1,080,000	1,080,000	1 to 1080	April 1, 1869.	E. Belo, President.	August 1869.	Act of 1868-'69, chapter 32.
A. T. & O. R. R. Co.,	1,760,000	1,760,000	1 to 1760	April 1, 1869.	W. Johnston, President, per R. Y. McAden.	Sept. 14, 1869.	Act of 1868-'69, chapter 31.

The above statement is correct, being taken from the books in this office,

D. A. JENKINS, State Treasurer.

SCHEDULE No. 2.

SHOWING THE DISPOSITION MADE OF THE BONDS RECEIVED OF THE STATE.

NAMES OF COMPANIES.	NO. RECEIVED FROM THE STATE.						
	NO. SOLD.	NO. HYPOTHECATED.	NO. OTHERWISE DISPOSED OF.	NO. UNACCOUNTED FOR.	NO. ON HAND.	NO. RETURNED TO THE STATE.	TOTAL.
Western North Carolina Railroad and Eastern Division,	2,836	666					2836
Western North Carolina Railroad and Western Division,	6,367	1924		1291	20		6367
Wilmington, Charlotte & Rutherford Railroad Company,	3,430	1700			330		3430
Western Railroad Company,	1,320	55			1265	1650	1320
Chatham Railroad Company,	3,200	1502	48				3200
Williamston & Tarboro' Railroad Company,	300	300					300
North Western Railroad Company,	1,080					1080	1080
Atlantic, Tennessee & Ohio Railroad Company,	1,760		163			1597	1760
Total,	20,293	8559	4338	163	1291	1615	20293

SCHEDULE No. 3.

SHOWING THE PROCEEDS OF THE BONDS.

NAMES OF COMPANIES.	BONDS SOLD.		AMTS. RECEIVED FROM SALE.		BONDS HYPOTH-ECATED.		AMTS. RECEIVED FROM HYPOTH-ECATION.		AMT. RECEIVED FROM INT., &c.		TOTAL.	
	No.	Dollars.	cts	No.	Dollars.	cts	Dollars.	cts	Dollars.	cts	Dollars.	cts
Wes. N. C. R. R. Co., Eas. Div.,	2,170	1,086,775	73	666	58,896	06	89,088	63	1,234,760	42		
Wes. N. C. R. R. West. Div.,	3,132	1,570,000	00	1,924	370,000				1,940,000			
Wil., Char. & Ruth. R. R. Co.,	1,400	842,146	03	1,700	187,403	43			1,029,548	46		
Western Railroad Company,	55	20,893	13				30,300		51,194	13		
Chatham Railroad Company,	1,502	906,196	74	48			29,440	55	935,637	29		
Wil'ston & Tar. R. R. Co.,	300	160,948	47						160,948	47		
North Western R. R., Co.,												
A., T. & O. R. R. Co.,												
Total,	8,559	4,586,960	10	4,338	616,298	49			148,829	18	5,352,087	77

It is proper to say that as to the Western North Carolina Railroad Company (W. D.) the amounts on the table as arising from sales are only an approximation. And those from hypothecation are defective. In regard to the interest column we do not intend to say that no interest has been accounted for in cases where there is no entry, but that in such cases we have not been able to dis- criminate and ascertain the amount, if any.

WESTERN N. C. RAILROAD.

WESTERN DIVISION.

RALEIGH, March 4th, 1870.

THE EXAMINATION OF M. S. LITTLEFIELD, who says :

I am now the President of the Western Division of the Western North Carolina Railroad Company, and have been since the 13th of October, 1869. My immediate predecessor as President was George W. Swepson.

The statement of the Treasurer of the State is shown to me, from which it appears that six millions, three hundred and sixty-seven thousand, (face value) of bonds of the State, were issued for the use of the said Company—that is to say \$500,000, January 20th, 1869 ; \$500,000, January 22d, 1869 ; \$500,000, January 27th, 1869 ; \$500,000, January 30th, 1869 ; \$1,000,000 (one million,) February 18th, 1869 ; and \$1,000,000, (one million,) March 23d, 1869. All of which bonds appear to have borne date, October 1st, 1868. And, also, the following, bearing date April 1st, 1868, to wit: \$2,100,000, (two millions, one hundred thousand,) delivered June 2d, 1869 ; \$87,000 delivered July 1st, 1869 ; \$180,000, delivered October 2nd, 1869 ; making the aggregate amount above stated. The above bonds appear to have been delivered to Geo. W. Swepson, President, and George W. Swepson, President, per G. Rosenthal.

Question 1. Have you ever received any of the said bonds ?

Answer. I have not. About the 5th of Nov., 1869, Mr. Swepson gave Messrs. Soutter & Co. an order to transfer to my account, as President, all bonds held by them, to the credit of the Western Division of the Western North Carolina Railroad Company. The order was accepted and the transfer made, and I was notified by them that the bond account showed a credit to the Company of 1,490 bonds ; of which

1,000 were hypothecated to the Guaranty and Indemity Company of New York, for a loan of two hundred and fifty thousand dollars, made to George W. Swepson, President, &c., some months previous, I cannot give the exact date. The loan was in two sums of \$125,000 each, for and due at different times. The first loan was then due, and I was notified to pay it. Not having the money, bonds being at about 45, I solicited an extension of the time, which was obtained upon the condition that both loans should be paid in 30 days. I called upon Mr. Swepson for the money to meet it; he did not refuse, but did not furnish the money, therefore I proceeded immediately to Florida, hoping to get some Railroad bonds due to my Company to meet the payment as promised. Failing in that, and bonds declining so rapidly, they notified me by telegraph to take up the loan or deposit more collaterals.

Having neither money nor collaterals unincumbered, the bonds were sold by the holders, as I understood, and I was telegraphed to Tallahassee, Florida, by Mr. Porter, of the house of Soutter & Co., that the bonds were sold, that the proceeds did not pay the loan. I do not know what was the deficiency, I think some few thousand dollars. I think the sale and notice to me was in the early part of January, 1870.

The residue of said bonds, 490 in number, were claimed to be held by Soutter & Co., for some advances made by them for "carrying," as the banking phrase is, 100 special tax N. C. bonds, which they alleged they had purchased per order of Mr. Swepson, in September, 1869, as I think for some party whose name I did not learn.

I am not aware what disposition, if any, has been made of the said 490 bonds. I have not been to New York since I left there for Florida, and no report has been made to me by the house of Soutter & Co., though I have called for it and received an answer that it could not be furnished until Mr. Porter, who was absent, returned, as he had had the exclusive charge of the North Carolina business with the house of Soutter & Co. I have had two answers to that effect, one

while in Florida, about fore part of February, the other on the 23rd of February last.

I also received an order from Mr. Swepson upon the N. C. Mutual Home Insurance Company, Raleigh, N. C., for twenty bonds loaned by him to that company. I applied for said bonds, they were to be delivered to-day, but have not yet been received by me. I am informed that said bonds had been deposited in accordance with their charter with the State Treasurer, they being required to keep on deposit there that amount of bonds of the State, and that they had procured other twenty special tax North Carolina bonds and tendered to the State Treasurer, to be placed in lieu of the former, but that the Treasurer declined to receive them, and return those on deposit in his office. But I am to have the bonds within twenty-four hours. I have the contract with the company for the loan, by which they were to pay 4 per cent. per annum interest, on the face of the bonds; the interest has not been paid, that is, not all, but a part may have been. I am to receive the interest by promise, on Monday next.

Mr. Swepson, also, at the time of giving the above orders, turned over to me receipts for bonds which had been deposited from time to time, with the National Trust Company of New York, for 409 bonds in all; they were hypothecated for divers loans of money, made from time to time by that company, in the summer of 1869. I knew they were so hypothecated, as the loans were negotiated by me, for him, Swepson. I am not able to state the amount, but think in all the loans amounted to about \$120,000.

The said bonds were sold by said Trust Company in the month of January, 1870, to pay the loans.

I have been notified by said Trust Company that the proceeds lacked some \$10,000 of paying the amount due for the loans. But I have not received any account of sales, &c., from said Trust Company. I will add by way of explanation, that I was informed by the President of the Trust Company, that they held some bonds (being a part of the above 409) that

were not a good delivery on the stock-board they being bonds of the State of North Carolina issued to the Atlantic, Tennessee & Ohio Railroad Company. I do not know how many, but have understood about thirty. All the bonds thus hypothecated by me, were pledged for and on behalf of Mr. Swepson, who was then President, I receiving the bonds from him for that purpose.

The above compose all the bonds with which I have had any personal connection.

Mr. Swepson, about the latter part of December last, informed me that he had left with Henry Clews & Co., of New York, for "margin," 55 bonds, and he also informed me some ten days since, that he had been called upon by them to make good a loss of about \$26,000, which I understood to be the loss after sale of such of the bonds as were a good delivery and saleable; some of the bonds deposited with Clews & Co., I also understood, were of those issued, as I have said before, to the said Atlantic, Tennessee & Ohio Railroad Company, but what part or how many of them, I was not informed and do not know. But my understanding was that they remained in the hands of Clews & Co.

Ques. 2. Do you know in what manner or to whom the residue of the said bonds appearing in the Treasurer's statement to have been delivered to George W. Swepson and to G. Rosenthal, have been disposed of, or in what hands they are, and how held?

Ans. George W. Swepson reports to me verbally that Soutter & Co., of New York, sold for him 3,132 bonds belonging to the Company, from January, 1869, up to October 1st, 1869. He handed to me early in November, 1869, what purported to be an abstract of such sales from the books of Soutter & Co., which I subsequently showed to Mr. Porter of that house, who told me it was correct. It is proper for me to say in explanation of that statement, that examination of it will show that more bonds appear to have been sold than 3,132, which I understand to be explainable in this way: It is gen-

erally the case that when a large amount of bonds are placed with a New York house to be sold, bonds often are, at the stock-board, bid for and bought by the agent of such house, for and on the account of the party who has placed bonds with the house for sale, the object being to sustain the market and keep up the price of such bonds. In such cases the costs of purchase of such bonds so bought is charged to the party employing the house to sell, and the bonds so purchased are re-sold on his account and the proceeds put to his credit. If a loss is sustained, he is to bear it—if a profit, he has the benefit of it. And such, I take it, was the case from an examination of this statement, and from which statement will appear in detail, the amount of sales, when made and at what prices—a copy of which is annexed hereto, as part of this examination and marked (A.)

I have no knowledge nor any certain or reliable information as to the disposing of the residue of the said bonds, or in whose hands they now are, or now held—excepting that I have understood that there were about 192 bonds in the hands of L. P. Bayne & Co., as “margin.”

Ques. 3. Was any settlement made between you and Geo. W. Swepson, or between him and the company, in any manner?

Ans. No settlement has been made. He handed me over the said statement from Soutter & Co., and the orders for bonds mentioned above, and also a statement in writing of credits claimed by him, handed to me in November last in New York, but which has never been submitted to the Board of Directors of the company. No meeting of the board has been since held by reason of my absence on business of the company. Except as already stated by me, he has rendered to me no account or statement showing what he had received on behalf of the company.

Ques. 4. What amount has been received by you, if any, as President of the company, and of whom, and when?

Ans. In the latter part of October last I received of Geo. W. Swepson \$18,925.83. I also received as advances upon the

collaterals, which I have already said were in the hands of Soutter & Co., the sum of \$112,946.13, in the months of October, November and December last—these are all the funds I have received.

Ques. 5. How, and for what purposes were those funds disposed of, if they have been disposed of?

Ans. Except three items in my account, all paid out in constructing the road or to the Treasurer of the company, on that account, as will appear by a copy of my account herewith filed, as a part of this, my examination, marked (B.) The excepted items are, one paid George W. Swepson, late President, for one year's salary and money advanced by him in New York of \$3,000; \$100 to J. D. Morgan, of New York, for commissions for negotiating loan made by Mr. Swepson; and to H. B. Wilson, of New York, \$1,100 for getting up and publishing a statement as to the financial resources of the State, to enhance the price of bonds. The dates of these disbursements will appear upon my said account.

Ques. 6. Do you know in what manner the funds received by George W. Swepson were disposed of, in whole or in part; if so, state how and by whom, and what agency, if any, you had in the matter?

Ans. I have already stated what knowledge and information I have as to the disposal of bonds received by him. By reference to the account of Soutter & Co., marked [A] it will be seen that expenditures purport to have been made as therein stated, by that house, for the purposes therein stated. I have no personal knowledge as to them or of their correctness. Upon that account there appears to be a balance due to the company by Soutter & Co., of \$1,502,135.75, up to the 1st of October, 1869. But that account is only an account of sales, with expenditures made by or through Soutter & Co. Besides the above, I have already said that Swepson received for loan on hypothecation of 1,000 bonds, the sum of \$250,000 of Soutter & Co., or through them. He also received from Henry Clews & Co., the sum of \$40,000, for special interest tax paid

by the State Treasurer. He also received, July 27th, 1869, on a deposit of bonds with the National Trust Company, \$11,500 ; also, from the same company, the sum of \$117,351.50.

Mr. Swepson, when he handed me the other papers named by me above, also handed to me an account of expenditures alleged to have been made by him, a copy of which I hereto annexed, marked "C," as part of this examination, amounting in the aggregate to the sum of \$251,734.80. And, as I have also stated, he handed to me cash \$18,925.83. He also invested \$726,281.89 in bonds of the Pensacola and Georgia Railroad Company. I do not know the number of bonds—the investment was made during the winter of 1868 and 1869. He always told me that this was an individual investment of his own. After I was elected President he told me that the \$726,281.89 were funds belonging to the company, and arising from the disposal of bonds. The said bonds were soon after returned to the Board of Internal Improvement of Florida for cancellation, with the arrangement and understanding that in lieu thereof the said Railroad Company is to return the said sum of \$726,281.89, with 8 per cent interest thereon, and all other advances made, or, if the President of our road prefers it, to have that amount of first mortgage bonds upon the said Pensacola and Georgia Railroad to secure the amount. I have in my possession the contract with the parties who bought the road, and expect that the matter will be closed and settled within the next sixty days.

I know, also, that Mr. Swepson has paid to contractors on the road \$19,446.09, having seen the vouchers therefor.

He also invested in the Wilmington, Charlotte & Rutherford Railroad bonds one hundred and forty-six thousand nine hundred dollars, (I think 226 bonds,) which were in the hands of Soutter & Co., for which he gave me an order on them when he turned over to me the 1490 bonds of which I have already spoken. I suppose, like the other bonds, they were subject to the claims of Soutter & Co. for advances. I have had no settlement with them, and dont know how far they

may have been encumbered. Some of them are now being used to pay off the claims of contractors.

I will also state that the sum of \$117,351.50, received as I have stated from the National Trust Company, was also expended in Florida to protect the investment in Florida Railroad bonds, which will be a charge upon the Pensacola and Georgia Railroad, and to be settled in the same manner as the main investment.

I had no agency in making the investment of the \$726,281.89 in Florida bonds—the sum of \$117,351.50 was disbursed in part by me, under the direction of Mr. Swepson, the rest by himself. I am not able to state the respective amounts. I have not the accounts before me, and it is sometime since the transactions.

Ques. 7. You have furnished a statement marked “A;” is that a complete account? and was the balance therein really due to the company or to Geo. W. Swepson by Soutter & Co.?

Ans. I do not know of my own knowledge. When I called upon Soutter & Co., they informed me that the balance due my Company on Soutter & Co's bank was \$5,228.83. That there were \$10,512 due the company on the books of James T. Soutter, and those were all of the moneyed credits to Mr. Swepson, late President of the company.

Ques. 8. Have those balances been settled? and how, and by whom, and when, if settled?

Ans. They constitute a part of the eighteen thousand dollars which I have stated were paid to me by Geo. W. Swepson.

Ques. 9. Who are the directors of your company? and who were directors when you were elected President? and who is now and has been treasurer of the company?

Ans. Good. M. Roberts, of Asheville, is and has been treasurer and secretary of the company both under Mr. Swepson and myself as Presidents. The directors were Geo. W. Swepson, Geo. W. Gahagan, G. W. Dickey, A. T. Davidson, J. R. Ammons, R. M. Henry, W. W. Rollins, J. H. Merrimon, Thos. L. Clingman, Jos. C. Abbott, A. H. Jones, and, I think,

G. M. Roberts, was also a director. The directors in the present board, and since I was made President, are the same, except myself in the place of G. M. Roberts, and Joseph Keener in the place of J. H. Merrimon.

Ques. 10. Our attention has been directed to a suit in the Superior Court of Wake county, in the name of Robert C. Kehoe against D. A. Jenkins, State Treasurer, and the Atlantic, Tennessee & Ohio Railroad Company; inform us what connection, if any, you had with that matter, and how and upon what terms the suit was settled?

Ans. My only connection with the matter was this: A day or two before the suit was settled, R. Y. McAden came to me in Raleigh, and asked me if I could do anything towards compromising the suit. I replied that I knew nothing about the matter in any shape or form, but I would see certain parties and learn what I could of it. I saw T. F. Lee and asked him if he supposed the suit could be compromised. He said he would see the plaintiff's lawyers and let me know in a little while. After considerable negotiation, he reported that the lawyers said it could be settled for seventy-seven bonds—I mean the bonds to be issued to the Atlantic, Tennessee & Ohio Railroad Company. Mr. McAden, to whom I reported it, objected to the amount, saying there were other parties interested in the settlement, and that the whole amount would be more than Johnston's Board of Directors, as he thought, would approve of. I reported back to Mr. Lee who, after seeing plaintiff's attorneys again, as he said, stated to me that the suit could not be settled for a less amount. I again saw Mr. McAden, and he concluded to accept the terms. I went with him to the Treasurer's office; the bonds were taken to the Yarboro' House, and Mr. McAden delivered to me one hundred and sixty-three of them; of which I left seventy-seven with T. F. Lee—he, McAden, intimated to me that Mr. Swepson would let me know what to do with the others. Within a few days after I went to New York—found Mr. Swepson there, told him I had a bundle for him; he directed

me to leave it for him at the Banking House of L. P. Bayne & Co., which I did. Mr. Swepson said to me, when I told him I had the bundle, that he had heard from McAden that the suit had been settled. I don't know how the bonds were disposed of. I received none of them, and never received anything, nor was I to receive anything for my services in the matter.

Ques. 11. Have you derived, or are you, or do you expect to derive any profit, advantage or benefit, directly or indirectly, for yourself or any one else, from the use, sale, hypothecation, or otherwise of the bonds issued to the Western Division of the Western North Carolina Railroad Company, or any of those issued to any other railroad company of the State, if so, state what, when, and in what way.

Ans. I have not, except as a stockholder of the Western Division of the Western North Carolina Railroad Company, and in common with other stockholders, nor am I, nor do I expect to, derive any for myself or any one else, from any such use of said bonds or any of them.

Ques. 12. Have any funds, arising from the sale or otherwise of said bonds, in any manner, been used by you or any one else, in or about you, for their private transactions or business of any kind, if so, how much, how, and when?

Ans. No funds of the kind have been so used by me or any one else, to my knowledge.

Ques. 13. Have you used any State bonds issued since the 1st of May, 1865, or the proceeds of any such State bonds, or do you know, or have you any information, and if so what, of any such bonds or proceeds having been used by any one to procure, or assist in procuring the passage of any bill or bills, through the Legislature or Convention of this State? if so, state all the facts fully.

Ans. I have used none myself, nor do I know of my own knowledge of any being used by any other person or persons for such purposes. Nor have I been informed by any one that he had used such bonds or proceeds for such purpose.

Before my testimony is closed, upon reflection, I deem it proper, in justice to Mr. Swepson, to say that he has reported to me, that he had expended under a resolution by a Board of Directors of the company, moneys to the amount of between two and three hundred thousand dollars, in the purchase of collaterals of various kinds, which have not been reported to the Board of Directors, but which a portion of the stockholders in the company, privately, have refused to recognize.

Under the said resolution which gave him general powers to sell the bonds issued to the company and invest the proceeds thereof in such securities as he deemed best, he claims to have made such investments.

No accounts that he has rendered to me, have been acted upon by me, or by the directors or stockholders in meeting.

M. S. LITTLEFIELD.

Sworn and subscribed before the Commission, 5th March,
A. D. 1870.

THOS. BRAGG, *Chairman.*

A

BONDS SOLD.

8 m.	a 62 $\frac{3}{8}$ c.	\$ 1,871 25
10 m.	a 62 $\frac{1}{4}$ c.	6,225
77 m.	a 62 c.	47,740
151 m.	a 61 c.	92,110
37 m.	a 61 $\frac{1}{2}$ c.	22,775
110 m.	a 61 $\frac{1}{4}$ c.	67,375
40 m.	a 61 $\frac{3}{4}$ c.	24,700
19 m.	a 61 $\frac{3}{8}$ c.	11,661 25
38 m.	a 59 $\frac{1}{4}$ c.	22,551
1 m.	a 61 $\frac{5}{8}$ c.	616 25
10 m.	a 60 $\frac{7}{8}$ c.	6,087 50
254 m.	a 60 c.	152,400
32 m.	a 59 $\frac{7}{8}$ c.	19,160
38 m.	a 59 $\frac{1}{2}$ c.	22,610
359 m.	a 59 c.	211,810
120 m.	a 59 $\frac{3}{4}$ c.	70,980
44 m.	a 59 $\frac{5}{8}$ c.	26,235
10 m.	a 58 $\frac{3}{8}$ c.	5,803 75
31 m.	a 60 $\frac{1}{4}$ c.	18,987 50
20 m.	a 60 $\frac{1}{2}$ c.	12,100
60 m.	a 58 $\frac{1}{4}$ c.	34,950
117 m.	a 58 $\frac{1}{2}$ c.	68,445
104 m.	a 58 c.	60,320
20 m.	a 57 $\frac{1}{2}$ c.	11,500
31 m.	a 57 $\frac{1}{4}$ c.	17,747 50
49 m.	a 57 c.	27,930
11 m.	a 52 $\frac{1}{8}$ c.	5,733 75
364 m.	a 52 c.	189,280
5 m.	a 53 $\frac{1}{2}$ c.	2,675
52 m.	a 55 c.	28,600
20 m.	a 49 $\frac{3}{4}$ c.	9,950
30 m.	a 52 $\frac{1}{2}$ c.	15,750
1 m.	a 56 c.	560
15 m.	a 43 $\frac{1}{4}$ c.	6,562 50
25 m.	a 45 $\frac{1}{2}$ c.	11,875
30 m.	a 47 c.	14,100
5 m.	a 46 $\frac{1}{2}$ c.	2,375
15 m.	a 46 $\frac{3}{8}$ c.	6,956 25
15 m.	a 46 c.	6,900
5 m.	a 45 $\frac{1}{2}$ c.	2,275
12 m.	a 44 $\frac{3}{4}$ c.	5,370
10 m.	a 43 c.	4,300
1000 m.	a 45 c.	450,000
Total,		\$ 1,827,933 50

RECAPITULATION.

Total amount of bonds sold,	3,400
Highest price received,	62 $\frac{3}{8}$ c.
Lowest price received,	43 c.
Average price received,	53 $\frac{3}{4}$ c.

SCHEDULE "B."

1869.	NO.		
Nov. 12	1	G. M. Roberts, Sec. and Treas.,	\$ 40,000
Oct. 14	2	Williams Brown, Contractor,	1,384 94
	13	M. J. Fagg, do.,	4,076 80
	14	E. Clayton, do.,	11,699 31
	14	J. P. Kennedy, do.,	1,976 02
	15	Phillip Roho, do.,	4,042 80
	15	G. W. Swepson, late President,	3,000
Nov.	8	G. M. Roberts, Sec. and Treas.,	10,000
	9	J. L. Offitt, Contractor,	456 12
Oct. 15	10	J. C. Turner, Chief Engineer,	285
	11	G. M. Roberts, Sec. and Treas.,	1,000
	14	do. do. do.,	500
	13	do. do. do.,	1,000
	14	Rankins, Son & Co., Contractors,	900
	14	do., do.,	583 37
	14	Edward Vecors & Co., do.,	2,216 81
	14	Thomas Seers, do.,	2,357 87
	14	Pryde and Bibb, do.,	1,240 92
	14	J. B. Neely, do.,	1,170 83
	14	do., do.,	459 97
	14	J. L. Offitt, do.,	1,052 20
Nov. 6	22	W. Ames, do.,	300
	6	A. T. Davidson, Attorney,	100
Oct. 15	24	J. C. Turner, Chief Engineer,	100
	16	do., do.,	285
	15	R. M. Henry, Attorney,	100
	16	J. D. Morgan, for Commissions,	100
	2	H. P. Wilson, for services,	1,100
	29	G. M. Roberts, Sec. and Treas.,	2,834
	14	do., do.,	3,000
Nov. 20	31	W. Ames, Contractor,	2,250
	11	do., do.,	10,000
	9	J. C. Turner, Chief Engineer,	2,300
	24	By cash deposited to credit of G. M. Roberts, Sec. & Treas.,	15,000
	27	By cash deposited to credit of same,	4,987 50
	29	" " " "	12 50
Total,			\$ 131,871 96

C.

WESTERN DIVISION W. N. C. R. R. CO.

1868.				Interest.
Oct.	17	To N. W. Woodfin,	\$ 12	\$ 96
	19	To R. M. Henry,	100	8
		To J. C. Turner, Chief Engineer,	200	16
		To " " " "	169 63	13 57
	22	To " " " "	168	13 44
	27	To Raleigh Sentinel,	20	1 57
		To J. C. Turner, Chief Engineer,	190	
		To " " " "	150	26 67
	29	To " " " "	150	
		To Keen & Haggerty,	34 50	14 39
Nov.	30	To Telegram to Chief Engineer,	1 25	07
	13	To Asheville Pioneer,	13 50	1
	16	To J. C. Turner, Chief Engineer,	316 50	
		To " " " "	150	
		To Check Book and Revenue stamps,	2 25	34 69
	20	To Alexander, Roberts & Co.,	1,420 79	104 21
	26	To J. C. Turner, Chief Engineer,	125	8 97
		To " " " "	315	22 47
	Dec. 12	To W. Ames, Agent,	200	13 63
	18	To J. C. Turner, Chief Engineer,	175	11 66
Dec.	19	To certified copy of Railroad bill,	5	
		To " " " "	25	2
	28	To J. C. Turner, Chief Engineer,	200	12 98
1869.				
Jan.	2	To J. C. Turner, Chief Engineer,	140	9 02
	4	To " " " "	90 10	
		To " " " "	104	
		To " " " "	164	22 75
	18	To " " " "	200	12 10
	22	To Express freight on bonds from New York,	125	7 45
	25	To J. C. Turner, Chief Engineer,	101	5 95
	27	To " " " "	100	5 85
	26	To Fowle & Badger, Attorneys,	250	14 55
	29	To George Z. French,	60	3 48
Feb.	1	To J. C. Turner, Chief Engineer,	50	2 94
		To " " " "	100	5 89
		To " " " "	156 95	9 07
	8	To Telegrams to date,	46 51	2 60
	17	To J. C. Turner, Chief Engineer,	200	10 66
	19	To " " " "	50	2 67
	March 5	To telegrams to date,	20 92	
		To Alexander, Roberts & Co.,	3,903 72	196 25
	6	To J. C. Turner, Chief Engineer,	115	5 75
	8	To Raleigh Sentinel,	20	88
April	13	To J. C. Turnarr, Chief Engineer,	122 85	5 93
	1	To Asheville Pioneer,	10	
		To J. C. Turner, Chief Engineer,	69	
	2	To Secretary of State for certified copies,	12	3 51
		To W. F. Askew & Co.,	650	29 15

("C."—Continued.)

WESTERN DIVISION WESTERN N. C. RAILROAD COMPANY.

1869.				Interest.
April	3	To J. C. Turner, Chief Engineer,	\$ 200	\$ 8 76
	6	To " " " "	200	8 62
	9	To W. H. Higden,	54	2 29
	10	To J. C. Turner, Chief Engineer,	133	
		To " " " "	225	
	10	To T. L. Clingman,	24	
		To R. M. Henry,	54	
		To J. R. Ammons,	54	
		To W. W. Rollins,	32 80	
		To G. M. Roberts, Treasurer,	800	55 85
	12	To " " " "	800	
		To G. W. Gahagan,	40	
		To J. B. Neathery & Co.,	20	35 93
	14	To Revenue stamps,	2	08
	17	To J. C. Turner, Chief Engineer,	50	2
	27	" " " "	121 50	
	23	" " " "	100	
		To G. M. Roberts,	24	
		To J. C. Turner, Chief Engineer,	124	
	22	" " " "	150	20 45
	5	" " " "	734	
		" " " "	100	
		" " " "	2,000	103 92
	6	To G. W. Dicky,	78 40	2 77
	8	To Raleigh Sentinel,	8	30
	11	To J. C. Turner, Chief Engineer,	3,000	
		" " " "	500	123 67
	12	" " " "	100	
		" " " "	100	6 30
	14	To Checkbook and Stamps,	25	20
	18	To Asheville Pioneer,	3	10
	24	To Western Union Telegraph Company,	23 98	
		To J. C. Turner, Chief Engineer,	93 50	3 80
	28	" " " "	42 96	1 36
June	2	To telegrams,	4	
		To Phillips & Merrimon	500	
		To A. S. Merrimon,	500	
		To Kemp P. Battle,	500	46 12
	5	To Express freight on bonds,	100	3
	15	To G. M. Roberts, Secretary and Treasurer	1,000	
		" " " "	500	41 67
	19	To Western Union Telegraph Company,	12 38	32
	22	To J. C. Turner, Chief Engineer,	1,000	26 66
	24	To Asheville Pioneer,	10	25
	27	To Express freight on bonds,	80	2
July	1	To J. C. Turner, Chief Engineer,	201 16	
		" " " "	93 75	
		" " " "	58 50	
		To Jas. D. Harden, Clerk,	35	
		To J. C. Turner, Chief Engineer,	216 37	
		" " " "	248 42	
		" " " "	290 65	

"C"—(Continued.)

WESTERN DIVISION WESTERN N. C. RAILROAD CO.

				Interest.
1869.	To Public Treasurer, accrued interest on bonds to date of delivery,	\$ 13,333 33	\$ 353 89	
3	To Express freight on bonds,	12 50	29	
6	To E. Clayton,	10,500	242 67	
7	To J. C. Turner, Chief Engineer,	400		
	" " " "	200	13 73	
13	" " " "	30		
	" " " "	100	2 60	
13	To G. M. Roberts, Treasurer,	9,000	166	
16	To John Armstrong,	51		
	To J. C. Turner, Chief Engineer,	100	3 16	
17	To Express freight,	25	50	
19	To J. C. Turner, Chief Engineer,	425	8 50	
21	To West. Union Telegraph Company,	67 34	1 32	
23	" " " "	23 34	44	
26	To J. C. Turner, Chief Engineer,	100	1 87	
31	To A. T. Davidson,	24	45	
Sept. 2	To E. Clayton, Contractor,	591 85		
	To J. C. Turner, Chief Engineer,	48 33	7 12	
13	" " " "	100	82	
14	" " " "	19 07	95	
24	" " " "	102 36		
Oct. 1	To G. M. Roberts, Treasurer,	8,000		
2	To Public Treasurer, interest,	90,000	360	
5	To Geo. G. Sanborn,	500	1 67	
12	To Henry Clews & Co.,	20,000	35 56	
15	" " " "	20,000	22 21	
1868.	To amount paid Directors, mileage and per diem,			
	To G. W. Gahagan,	\$ 66		
	To G. W. Dickey,	172 80		
	To A. T. Davidson,	120		
	To J. R. Ammons,	120		
	To R. M. Henry,	92		
	To W. W. Rollins,	48 40		
	To J. H. Merrimon,	40		
	To W. H. Higden,	68		
	To T. L. Clingman,	50		
	To G. M. Roberts,	64		
1869.		841 20	67 20	
Oct.	To M. S. Littlefield, President, check on Soutter & Co.,	5,228 83		
	To M. S. Littlefield, check on James T. Soutter,	10,512		
		\$ 219,138 20		
12	To money advanced J. A. Hunt & Co.	18,000		
	To " " " W. Ames,	14,316 11		
26	To J. Keener, Director,	150		
	To J. R. Ammons, Director,	150		
	Total,	\$ 251,754 31		

WESTERN DIVISION W. N. C. R. R. COMPANY IN ACCOUNT WITH
G. W. SWEPSON.

1869.		days			
Jan.	11 To balance of account,	170	\$ 3 70	\$ 10	
"	23 Express,	158	100	3 07	
	Cash,	158	4 82	15	
"	25 Express,	156	100	3 03	
	Telegrams,	150	9	27	
"	28 Express,	153	50	1 48	
Feb.	1 Express,	149	50	1 44	
"	3 Com. on 121 bonds delivered,	147	151 25	4 30	
	4 24 N. C. new, 60c. \$ 14,400				
	5 " 62 1-2c. 3,075				
	5 " 3,093 75				
	Com:— 42 50	146			
	1 9 N. C. new, 62 1-2c.	149	20,611 25	585 12	
	8 Express,	142	5,546 25	160 67	
	9 2 coupons off 4 bonds,	141	66 70	1 85	
	52 1-2 " 105 "	141	60	1 64	
	15 " 30 "	141	1,575	43 17	
	10 Express,	140	450	12 33	
	11 5,000 N. C. new, 62c. \$ 3,100	139	33 50	90	
	Com:— 6 25	139			
	Express, 33 50	139			
			3,139 75	84 84	
	12 24 coupons off 48 bonds,	138	720	19 34	
	Com:— 4,000,000,	138	10,000	268 33	
	13 10,000 N. C. new, 61 1-2c. \$ 6,150				
	Com:— 12 50	137			
			6,162 50	164 14	
	37,000 N. C. new, 62c.	137	22,940	611 09	
	Com:—	137	46 25	1 22	
	18 98 coupons off 196 bonds,	132	2,940	75 45	
	19 7,000 N. C. new, 59 1-4c.	131	4,147 50	105 62	
	Com:—	131	8 75	23	
	75,000 N. C. new 59,	131	42,250	1,127 14	
	Com:—	131	93 72	2 40	
	125 coupons off 250 bonds,	131	3,750	95 51	
	20 To deposit 50,000 N. C., new, 10 per ct.,	130	5,000	126 38	
	50,000 N. C., new, 53 1-2,	130	29,250	739 37	
	Commissions,	130	62 50	1 56	
	75 coupons off 150 bonds,	130	2,250	56 87	
	24 25,000 N. C., new, 59 1-2,	126	14,875	364 44	
	Commissions,	126	31 25	75	
	25 coupons off 50 bonds,	126	750	18 37	
	25 Express,	125	67	1 63	
	26 1,000 N. C. 60 1-4, 602 50	124			
	10,000 N. C. 60 3-8, 6,037 50	124			
	5,000 N. C. 60 1-4, 3,012 50	124			
	Commissions, 20	124			
			9,672 50	233 19	

WESTERN DIVISION W. N. C. R. R. COMPANY IN ACCOUNT WITH
G. W. SWEPSON.—(CONTINUED.)

1869.			days		
March	1	3,000 N. C., 60,	1,800		
		10,000 N. C. 60 3-8,	6,022 50		
		1,000 do. 60,	600		
		Commissions,	17 50		
		15 coupons off 300 bonds,	450	121	
				\$	8,880
				\$	208 92
	3	40,000 N. C. new 59½,	23,800		
		Commissions,	50		
		10,000 N. C. new, 60,	6,000		
		Commissions,	12 50	119	
					29,862 50
					690 98
	5	20,000 N. C. new, 59,		117	11,800
		Commissions,		117	25
		25 coupons off 50 bonds,		116	750
					16 90
	10	10,000 N. C. new, 59¾,		112	5,975
		Commissions,		112	12 50
					26
	11	50 coupons wanting,		111	1,500
		75 do. do.		111	2,250
		15,000 N. C. new, 59¾,		111	8,962 50
		Commissions,		111	18 75
					41
	12	Telegram,		110	4 50
					08
	17	40 coupons,		105	1,200
					24 50
	27	12½ coupons,		95	375
					6 92
	31	60 coupons,		91	1,800
					31 85
April	1	100 "		90	3,000
					52 50
	2	5,000 new 54½,		89	2,725
		Commissions,		89	6 25
		50 coupons,		89	1,500
					25 95
	3	40,000 N. C. 52½,		88	21,000
		10,000 N. C., 51⅞,		88	5,187 50
		Commissions,		88	62 50
					1 06
	5	2,000 N. C. 56,		86	1,120
		Commissions,		86	2 50
		10,000 N. C. 56½,		86	5,650
		Commissions,		86	12 50
					20
	7	5 coupons,		84	150
					2 44
	8	Express,		83	75
					1 21
	10	25 coupons,		81	753
					11 80
	13	25 coupons,		78	750
					11 36
May	10	G. M. Roberts, Treasurer,		51	2,834
					28 09
June	5	Express,		25	67
					16
	18	"		12	62 50
					14
	21	"		9	42
					07
July	7	65 coupons wanting,		89	1,950
					33 74
	17	75 "		79	2,250
					34 56
		Over credit May 27th, on 52 N. C. bonds		130	520
					13 14
	22	Attorneys in Raleigh,		74	2,000
		¼ commission bonds on stock exchange,		74	7,500
					107 91
	23	162½ coupons,		73	4,875
		Commissions on 185 bonds,		73	106 25
					1 49
	24	Telegrams,		72	10
					14
		Commissions on bonds 100,		72	125
					1 75
	28	Telegram,		68	20
					26

WESTERN DIVISION WESTERN N. C. R. R. CO., IN ACCOUNT WITH
G. W. SWEPSON.—(CONTINUED.)

1869.			days			
	225 bonds, coupons wanting,		68	\$	4,575	\$ 60 50
	Coupons wanting on bonds,		68		5,550	73 38
August 3	Attorneys establish'g validity of bonds,		62		12,500	150 69
	Telegram,		60		4 19	05
9	40x15 coupons wanting,		56		600	6 53
10	20x15 " "		55		300	3 20
16	50x15 " "		49		750	7 14
	100x15 " "		49		1,500	14 29
19	100x15 " " 2 \$45,		46		1,590	14 21
	150x15		46		2,250	20 12
30	250x15		45		3,750	32 81
25	100 coupons, \$15, 29 by \$45,		40		2,805	21 81
31	Expenses establishing bonds, etc.,		34		6,750	44 62
Sept. 2	Commission on sale of bonds,		32		311 69	1 93
	Commission on 1 N. C., August 30,				1 31	
Oct. 1	10,000 N. C. new cash, Sept. 7,		3		4,709	2 76
4	Express omitted December, 1868,				25	
	To balance due,				\$1,502,135 70	
1869.						Cr.
Oct. 15	Check M. S. Littlefield, President,				285	
Nov. 3	Draft " " " "				1,000	
	" " " "				1,000	
4	" " " "				500	
	" " " "				500	
Jan. 21	By 50,000 N. C. 62,		160		30,934 40	962 38
22	By 30,000 " 61,		159		18,260 67	564 53
	By 2,000 " 61 1/2, 1,230					
	By 4,000 " 61 1/2, 2,440					
	By 1,000 " 61 1/2, 615					
	By 5,000 " 61 1/2, 3,062 50					
	By 3,000 " 61 1/2, 1,845					
	By 10,000 " 61 1/2, 6,150					
	By 3,000 " 62, 1,860					
	By 1,000 " 62, 620					
	By 5,000 " 61, 3,075					
	By 10,000 " 61, 6,100					
	By 5,000 " 61, 3,050					
	By 1,000 " 61, 610					
	By 10,000 " 61, 6,100					
	By 5,000 " 61 1-2 3,075					
	\$39,832 50					
	Less com., \$81 25,					
	Tax, 4 05, 85 30					
23	By 10,000 N. C. new 61 1-2,		159		39,747 20	1,228 84
	By 5,000 " " 61 1/4, \$3,068 44		158		6,136 88	188 50
	By 3,000 " " 62 3/8, 1,867 31		158			94 24
	By 5,000 " " 61, 3,043 44		158			57 35
25	By 3,000 " " 61, 1,826 06		156			93 48
	By 20,000 " " 61, 1,217 78		156			55 38
	By 10,000 " " 61 3/8, 6,124 38		156			369 24
					28,103 41	185 75

WESTERN DIVISION WESTERN N. C. R. R. CO., IN ACCOUNT WITH
G. W. SWEPSON.—(CONTINUED.)

Cr.

1869.					days			
Feb. 6	By 10,000 N. C. new	61,			144	\$	6,086 89	\$ 170 40
9	By 20,000 "	" 61 $\frac{1}{4}$,			141		12,223 76	335 11
	By 10,000 "	" 61 $\frac{3}{4}$,			141		6,161 88	168 91
10	By 55,000 "	" 61 $\frac{1}{4}$,			140		33,615 35	915 07
11	By 10,000 "	" 62 $\frac{1}{4}$,			139		6,211 87	167 87
	By 20,000 "	" 62,			139		12,373 76	334 41
12	By 20,000 "	" 61 $\frac{3}{4}$,			138		12,323 76	330 66
	By 3,000 "	" 62,			138		1,856 06	49 80
13	By 10,000 "	" 61 $\frac{3}{4}$,	\$6,162 63		137			
	By 9,000 "	" 61 $\frac{3}{8}$,	5,511 19		139			
							11,673 82	304 63
	By 1,000 "	" 61 $\frac{5}{8}$,	614 93					
	By 25,000 "	" 61 $\frac{1}{4}$,	15,279 71		137			
							15,894 64	429 74
15	By 5,000 "	" 61 $\frac{1}{2}$,	3,068 44					
	By 1,000 "	" 61 $\frac{1}{2}$,	613 68		135			
							3,682 12	96 66
	By 38,000 "	" 61,	23,130 18					
	By 10,000 "	" 60 $\frac{7}{8}$,	6,074 39		135			
							29,204 57	766 60
16	By 5,000 "	" 61,			134		3,043 44	79 28
18	By 5,000 "	" 61,	3,043 44					
	By 50,000 "	" 60,	29,934 50					
	By 5,000 "	" 59 $\frac{3}{8}$,	2,987 20					
	By 75,000 "	" 59,	44,151 82		132			
	By 2,000 "	" 59 $\frac{7}{8}$,	1,194 88		132			
							81,311 84	2,086 98
19	By 25,000 "	" 59,	14,717 27					
	By 10,000 "	" 58 $\frac{1}{2}$,	5,836 91					
	By 7,000 "	" 59 $\frac{1}{2}$,	4,155 83					
	By 10,000 "	" 59 $\frac{3}{4}$,	5,961 90					
	By 4,000 "	" 59 $\frac{5}{8}$,	2,379 76		131			
							33,051 67	841 88
20	By 15,000 "	" 59,	8,830 36					
	By 10,000 "	" 58 $\frac{3}{4}$,	5,861 91					
	By 60,000 "	" 58 $\frac{1}{4}$,	34,871 50					
	By 15,000 "	" 58 $\frac{1}{2}$,	8,755 37					
	By 42,000 "	" 58 $\frac{1}{2}$,	24,515 04		120		82,834 18	2,093 86
25	By 25,000 "	" 59,			125		14,717 27	357 70
27	By 10,000 "	" 60 $\frac{1}{2}$,			123		6,036 86	144 36
Mar 1	By 10,000 "	" 60 1-2,			121		6,036 86	142
	By 31,000 "	" 60 $\frac{1}{4}$,	18,636 86					
	By 11,000 "	" 60,	6,585 59					
	By 100,000 "	" 60,	59,869		121			
							85,091 45	2,002 01
2	By 10,000 "	" 60,	5,986 90					
	By 25,000 "	" 59 $\frac{3}{8}$,	14,936					
	By 72,000 "	" 60,	43,704		120			
							64,627 67	1,507 96
3	By 100,000 "	" 59,	58,869 10					
	By 10,000 "	" 59 1-2,	5,936 90					
	By 20,000 "	" 59 $\frac{1}{4}$,	11,823 81		119			
							76,629 81	1,773 11

WESTERN DIVISION WESTERN N. C. R. R. CO., IN ACCOUNT WITH
G. W. SWEPSON.—(CONTINUED.)

CR.

1869.					days		
	By 5M.	N. C. new	59 $\frac{3}{4}$,	2,980 95			
	By 5M.	" "	59 1-2,	2,968 45	119		
						\$	5,949 40
							\$ 137 64
4	By 3M.	" "	59 $\frac{1}{4}$,		118	1,773 57	40 67
	By 60M.	" "	59,		118	35,321 46	810 42
	By 1M.	" "	59,		118	588 69	13 48
8	By 14M.	" "	58,		114	8,101 68	179 57
10	By 10M.	" "	60,		112	5,986 90	130 35
	By 16M.	" "	59 1-2,		112	9,499 04	206 86
11	By 10M.	" "	59 $\frac{1}{4}$,		111	5,911 90	127 58
	By 90M.	" "	49 $\frac{3}{4}$,		111	53,657 12	1,158 10
12	By 40M.	" "	59 $\frac{5}{8}$,		110	23,797 61	508 98
13	By 15M.	" "	59 $\frac{3}{4}$,		109	8,942 85	189 52
	By 10M.	" "	59 $\frac{1}{4}$,		109	5,886 91	124 74
15	By 22M.	" "	59,		107	12,951 20	269 45
	By 15M.	" "	59,		107	8,830 36	183 70
	By 5M.	" "	59 $\frac{1}{4}$,		107	2,955 95	61 47
	By 1M.	" "	59,		107	588 69	12 23
17	By 65M.	" "	58,		105	37,614 98	767 95
20	By 50M.	" "	58 $\frac{1}{2}$,		102	29,325 89	581 62
	Deposit 50M. N. C.				102	5,015 55	99 46
	By 10M. N. C. new,		57 $\frac{1}{2}$,	5,736 92			
31	By 31M.	" "	57 $\frac{1}{4}$,	17,706 97			
	By 49M.	" "	57,	27,865 95			
	By 20M.	" "	59,	11,373 86	91		
						62,683 70	1,109 40
April 2	By 10M.	" "	57 $\frac{1}{2}$,		89	5,736 92	99 26
3	By 11M.	" "	52 $\frac{1}{8}$,		88	5,719 42	97 85
5	By 25M.	" "	58 and int. 72 $\frac{1}{2}$		86	14,539 79	243 12
7	By 359M.	" "	52,		84	186,212 58	3,041 45
8	By 5M.	" "	53 $\frac{1}{2}$,		83	2,668 48	43 05
May 27	By 52M.	" "	55,		34	28,532 14	188 62
			Interest balance,			22,009 74	
							29,324 97
			Total,			1,318,674 21	
							18,874 25
			By balance forwarded,			1,011,293 49	
July 1	By 15M. N. C. new,		47 $\frac{1}{4}$,	7,162 50			
	By 25M.	" "	47 $\frac{1}{2}$,	11,875			
	By 20M.	" "	47,	9,400			
	By 5M.	" "	46 $\frac{1}{2}$,	2,325			
	By 15M.	" "	46 $\frac{3}{8}$,	6,956 25			
	By 15M.	" "	46,	6,900			
	By 5M.	" "	45 $\frac{1}{2}$,	2,275			
	By 10M.	" "	52 $\frac{1}{2}$,	5,242 07			
	By 20M.	" "	52 $\frac{1}{2}$ a $\frac{1}{8}$	10,036 33	90		
						62,172 25	1,088 01
9	By 20M.	" "	49 $\frac{3}{4}$,	9,933 95			
	By 12M.	" "	43 $\frac{3}{4}$,	5,354 46	87		
						15,288 41	258 62
	By 10M.	" "	43,	4,287 07			
12	By 5M.	" "	52,	2,597 81	84		
						6,884 88	112 43

WESTERN DIVISION WESTERN N. C. R. R. CO., IN ACCOUNT WITH
G. W. SWEPSON.—(CONTINUED.)

Cr.

				days		
1869.						
30	By 1M. N. C. new			34	\$ 560	\$ 3 80
Sep. 14	By 10M. " "	47,			4,687 03	18 22
Oct. 1	By 1,000,000 " "	45,	450,000			
	Less com. and tax,		1,295	3		
					448,705	261 74
	Interest balance,				19,872 08	20,617 20
					1,569,463 14	
	Balance due,				1,502,185 70	

WESTERN N. C. RAILROAD.

EASTERN DIVISION.

Samuel McD. Tate states that he is Superintendent of the Eastern Division of the Western North Carolina Railroad Company; that he was President of the Company from Aug., 1866, to August, 1868, and also trustee thereof from some time in the summer of 1868 until the last part of the year 1869. Whilst President he received from the Treasurer of the State fifty State bonds, numbered from 3,671 to 3,720, dated July 1st, 1866. Also fifty other such bonds numbered 3,722 to 3,771 inclusive, dated Oct. 1st, 1866; also seven hundred and fifty of such bonds numbered 3,772 to 4,521 inclusive, dated July 1st, 1867, and six hundred other such bonds, numbered from 4,572 to 5,171 inclusive, dated January 1st, 1868. The dates at which it is stated by the Treasurer that the above bonds were delivered to-wit: July 1st, 1866, Oct. 1st, 1866, Sept. 3rd, 1867, and April 2d, 1868, are probably correct for the last two; the first is certainly a mistake, as the bonds were not received until after I was President, and the second is also probably incorrect.

Ques. Are any of these bonds still in your possession, or in that of others subject to your order; if so, how many; give their numbers, dates and their amounts?

Ans. I shall not be able to give their numbers, or dates; there are still in my possession, deposited in the National Bank of the Republic of New York, three hundred and two one thousand dollar bonds, with coupons attached for interest from 1st of July, 1868. These bonds were placed specially in my possession as trustee, early in the summer of 1868, under these circumstances: The directors of the company, apprehensive as to the effect that a change of government might have upon the finances of the company, appointed me trustee, and placed in my hands the State bonds then in possession of

the company, in all nineteen hundred and seventy-three. These included the balance of the above bonds then unsold, together with seven hundred and seventy-three bonds charged in the statement of the treasurer made to the commission, and now before me, as delivered to R. F. Simonton, treasurer of the company, on the 16th of April, 1868, in the two parcels numbered 4,522 to 4,571 inclusive, and 5,172 to 5,894 inclusive, dated respectively July 1st, 1867, and January 1st, 1868. Some of the bonds so placed in my hands as trustee were already on deposit in the Bank of the Republic, and the others were placed by me there shortly afterwards. I will add that in August, 1868, at the annual meeting of the stockholders, when I ceased to be President, I was continued in my duties as trustee by the stockholders, under the title of financial agent. This last office was abolished in August, 1869. At the time when I was appointed trustee the bonds were conveyed to me by deed of trust which is now registered in the office of Register of Iredell county, its general purposes being the indemnification of the State against any improper application of their proceeds.

It will be seen that upon the whole I am responsible for twenty-two hundred and twenty-three bonds of one thousand dollars each.

As these bonds were received from the State Treasurer they were deposited from time to time with the Bank of the Republic, and within a few days of their receipt. No use of any sort was made of any of them until so deposited.

That bank has continued to be my only financial agent in New York, and all my transactions have been through it. Upon receiving bonds from the State they were always taken up on the books of the treasurer of the company, and as these were sold the proceeds were remitted to that officer and also taken up on his books. Up to the time I was appointed trustee, all sales of bonds were made by the bank upon orders which I gave as the company might need funds through their own brokers, with whom I had no communication. After I

became trustee, with a view of conforming my action to that of the State government, I employed Soutter & Co., of New York, as brokers, and gave orders for the delivery to them by the bank of such bonds as I might have occasion to sell.

The above statement, that all of the bonds received from the Treasurer were deposited with the Bank of the Republic, requires modification, as upon reflection, it occurs to me that a few of them were paid out by Mr. Simonton, as Treasurer, to certain creditors of the Company in this State, and it may be that, whilst President, in effecting certain loans in New York, under the orders of the directors of the company, I carried some of those bonds directly to the party with whom they were hypothecated, instead of being first deposited with and then drawn from the bank; but whatever use was thus made of them was exclusively for the company. I will add here that none of these bonds have been used by myself, by hypothecation or otherwise, for any private purpose; nor do I know or believe that any part of the same have been loaned to a friend or other party to be so used by him or them, or that any part of the same have ever been used by any person in any way for private purposes. What I have just said of the bonds is also true, and is hereby repeated of their proceeds. The sales made of the bonds were, according to the best of my knowledge, information and belief, made in good faith for the highest market price at the time of sale, and neither I nor any of my friends, had any connection with the various purchasers. It may be that I am acquainted with some of the parties who bought these bonds, but if so, I am not aware that I have more than a casual acquaintance with them. I have not, and have never had, any interest, direct or indirect, in any of their transactions about said bonds, and have never reaped any personal benefit therefrom. I will qualify the above statement by adding that whilst I was President I sold to Soutter & Co., one hundred of said bonds. These gentlemen are friends of mine, but they purchased at the highest market price, and without receiving or bestowing any favors.

The twenty-two hundred and twenty-three State bonds received by me as above, I account for by stating that they were turned over by me to R. F. Simonton, who has debited himself with them on his books as treasurer of the company.

The nineteen hundred and seventy-three subsequently received from such treasurer, are accounted for as follows: I have sold at various times, as above, sixteen hundred and seventy-one, in which I include fourteen recently sold by the bank of the Republic, of which I have as yet received no definite statement; the other three hundred and two, still on deposit in that bank, are pledged to it on call loan for forty-five thousand seven hundred and twenty-seven dollars and six cents, less the proceeds of the above fourteen. I pay interest on the call loan at the rate of seven per cent.

In addition to the above bonds, it will be found by my report to the stockholders of the company in August, 1869, herewith submitted, (printed report, page 38,) that I received for coupons funded under the act of the Assembly, seventy-eight other bonds, which, together with another bond made up, as there appears in part of coupons and in part of other funds of the company, are in such report, together with the statement signed by myself, marked "A," and herewith submitted, fully and truly accounted for.

These statements show all my receipts, and also my disbursements truly, and the accounts therein stated to have been disbursed, and those paid to the treasurers of the company, are truly stated and were paid as therein stated.

It will be seen that there is a balance in my hands on 1st March instant, of \$4,368.68; to meet that sum I have vouchers of payments to contractors on the road, and other current bills against the company, and my salary for 18 or 20 months, more than enough to meet the balance.

Qus. 2. We see, according to statement A., filed by you, there is stated "bills due the bank of the Republic, amounting to \$45,727.06. How and when did said bills become due and payable?

Ans. By sundry bills drawn by me from time to time, number not remembered, drawn in November last, perhaps some of them in December last, and for money, which was applied to meet estimates for work done on the railroad. It was disbursed by me in the name of the treasurer, taking receipts in his name, and turning them over to him.

Ques. 3. Why was that money drawn for at the times stated? Did not the treasurer then have funds ample to meet such demands?

Ans. The treasurer did not have funds to meet such demands at the time the bills were drawn and the money obtained. I was in the habit of making disbursements to the contractors, taking receipts as stated, and when I got a number, turned them over to the treasurer and obtained a credit for the aggregate amount of the receipts. The item for bills due the Bank of Republic is included in the item on the other side of the account as paid the treasurer in November, 1869, and January, 1870, of \$161,128.91.

Ques. 4. When were the bonds, 302 in number, and 14 not reported as sold, placed in the bank to be drawn upon, or as collaterals for loans?

Ans. The bonds have remained in the bank ever since they were put there, as already stated, soon after they were received by the company. The bonds were to remain according to an arrangement shortly before the said bills were drawn, that is, a sufficiency of them to meet any bills drawn upon the faith of the bonds.

Ques. 5. We see that according to Statement A 25 bonds were sold on 31st January last, and 175 bonds were sold on 1st February last at from 24 to 25 cents in the dollar. Why were such sales made? Were you not then apprised of the passage of the act of the Assembly forbidding a sale of the bonds?

Ans. These bonds had been deposited with Soutter & Co. as collaterals, and upon them advances had been made about the amount of the market value of the bonds when sold. I

was individually bound for the debt also, and declined to remain so any longer. The sales were made to relieve myself as well as the company from the debt. I had heard a good deal about what the Legislature was doing or about to do about the bonds, but had no certain information about it at that time; the bonds were beyond my control, unless I paid the debt, which I was not able or willing to do.

Ques. 6. Have any bonds of the company been at any time sold by you or any one else, and afterwards replaced by other bonds?

Ans. Not any to my knowledge.

Ques. 7. Have you derived, or are you, or do you expect to derive any profit, advantage or benefit, directly or indirectly, for yourself or any one else, from the use, sale, hypothecation or otherwise of the said bonds or any of them?

Ans. I have not and do not, except that of a stockholder and as other stockholders in the company.

Ques. 8. Have any proceeds arising from the sales or otherwise of said bonds in any manner been used by you or any one else, in or about your or their private transactions or business of any kind; if so, how much, how and when?

Ans. No funds of the company of that kind have ever been used by me for my benefit or in my private business. Acting under orders of the Board of Directors, I sometimes made advance payments to contractors, they being required to give collateral security for such advances. I furnished one of the contractors on one occasion with security for a portion of the amount I had been ordered to pay him; and a portion of the money, about \$20,000, was left in my hands, which I used until he wanted it. I think it was in 1868. I don't remember how long I had it. The contractors paid interest to the company upon said advances.

Ques. 9. Have you used any State bonds or the proceeds of any State bonds, or do you know or have you any information, and what, of any such bonds or proceeds having been used by any one to procure or assist in procuring the passage

of any bill or bills through the Legislature of this State, if so state all the facts fully?

Ans. I have neither used bonds or proceeds of bonds for such purpose. I have no such information as to others except from report.

Ques. 10. Please to look over the Treasurer's statement again and inform the commission what, if anything, you may know in regard to the disposal of any other of the State bonds, charged thereupon, or of their proceeds, including in such information, what, if any thing you may have heard said by any person, and whom, as to his transactions with said bonds or proceeds. You are aware of the purpose for which this commission was raised, give us any information which you may have, that may aid us in our investigation?

Ans. I have no personal knowledge of the disposal of any bonds, or the proceeds of any bonds, by the parties named in the treasurer's statement. I heard A. J. Jones, sometime in September, 1869, while in New York, say that he had sold twenty bonds, but he did not state at what price. I am not sure it was in September, but am certain it was sometime in the Fall of 1869. He said that these were all that he had sold, and had sold these in order to have his bonds made a good delivery at the stock board. I know that what is called a "pool" was formed, the object said to be to keep up the price of North Carolina bonds. I was requested to draw up the agreement. I did so. I did not sign it; it was signed I think by Swepson, A. J. Jones, Dr. Sloan, General Littlefield and some others not connected with any of our railroads. The agreement was in substance, that the bonds owned by the signers, as they said, and which it was also said they had purchased at the stock board, should be held in common stock and kept off the market, and in that way the price of the bonds would be kept up as it was thought. I wrote on the back of the agreement that I would not sell any bonds I held as an individual, faster than they sold the joint bonds, provided they would place all their said bonds in some respectable house, which should make the

sales. I mean to say these were, or were claimed to be private and not railroad company bonds. I don't remember the amount of the bonds, but it was over a million. The agreement for some reason was not carried out, it fell through. I had directed a broker to buy for me individually some bonds at the board. He bid for and got 55 bonds, \$1,000 each, at 55 to 56; and by agreement with A. J. Jones, a like amount was bought at the same prices in my name for him. I paid for the whole; he, Jones, desired me to hold the 55 bonds on his account, which I did, the bonds went down rapidly. I went to him and he placed in my hands 20 North Carolina special tax bonds as security for loss, I agreeing to carry the bonds for him at 7 per cent. interest upon costs. Subsequently, I think on or about the 6th of December, 1869, the whole of the bonds, 75 in number, were sold on my account by Soutter & Co., at 39 cents, lacking about \$3,500 of paying the original costs and interest of the 55 bonds. I did not know how or in what right Mr. Jones held the said 20 bonds, handed to me by him. I gave Mr. Jones a receipt for the 20 bonds, in which I think they are described.

I heard a good deal said about selling of bonds, but can't remember any particulars, save that I think I heard General Stubbs say that he had made a contract with John F. Pickerell to build his road and take his bonds at 66 cents. I think it was about 12 months ago that I heard him say so.

SAM'L. McD. TATE.

Sworn and subscribed before the commission.

THOS. BRAGG, *Chairman.*

A STATEMENT

SHOWING THE BONDS PLACED IN MY HANDS BY THE WESTERN NORTH CAROLINA RAILROAD COMPANY AND THE DISPOSITIONS MADE TO THE 26TH AUGUST, 1869.

To rec'd for work east of Blue Ridge,	\$ 650,000	By sales to date,	\$1,239,000 00
" " through " "	1,323,000	" delivered Dr. Mott, President,	68,000
" coupons funded on first lot,	39,000	" on hand,	759,540
" " second lot,	39,540		
	\$2,051,540 00		
" purchase 15th Dec., 1868,	5,000		
" " 16th " "	10,000		
	\$2,066,540		\$2,066,540
1868.			
Sept. 19, To p'd N. Y. W. Co., note,	\$ 50,000	Sept. 19, By cash loaned Nat. T. Co.,	\$ 100,000
" 19, " " "	50,000	" 29, " " b'nk Republic,	25,000
" 19, " coms. H. D. Falkner,	750	" 19, " Int. ref'd N. Y. W. Co.,	175
" 29, " Int. and stamps bank			
Republic,	314 55	Oct. 7, " 30 bonds sold, at 67,	20,100
Oct. 7, " 1-8 com. to S. & Co.,			
30 bonds,	37 50	" 19, " 108 bonds sold, at 67½,	72,900
" 10, " R. F. Simonton, Treas.,	22,890	" 19, " 2 bonds sold at 67½	1,352 50

Oct. 19, To 1-8 com. S. & Co., 169 bonds,	\$	211 25	Oct.	7, By 5 bonds sold at	\$	3,368 75
" 29, " 1-8 com. S. & Co., 74 bonds,		92 50	"	" 50 " " at	67 $\frac{1}{2}$,	
" 30, " Con. Bank note,		150,000	"	" 4 " " at	67 $\frac{1}{2}$,	33,754
Nov. 12, " N. Y. W. Co., note,		50,000	"	" 1 " " at	67 $\frac{1}{2}$,	2,690
" 11, " 1-8 com. S. & Co., 22 bonds,		27 50	"	" 5 " " at	67 $\frac{1}{2}$,	676 25
" 16, " 1-8 com. S. & Co., 89 bonds,		111 25	"	" 5 " " at	67 $\frac{1}{2}$,	3,375
			"	" 1 " " at	67 $\frac{1}{2}$,	3,362 50
			"	" 10 " " at	67 $\frac{1}{2}$,	1,347 50
			"	" 30 " " at	66 $\frac{1}{2}$,	6,650
			"	" 21 " " at	66 $\frac{1}{2}$,	19,875
			Nov. 3, " 2 " " at	66,	13,860	
			" 3, " 10 " " at	67 $\frac{1}{2}$,	1,350	
			" 3, " 10 " " at	65 $\frac{1}{2}$,	6,525	
			" 16, " 69 " " at	65,	6,500	
			" 16, " 20 " " at	65,	44,850	
			1868.	" 64 $\frac{3}{4}$,	12,950	
Nov. 21, Ex. to and in New York,	\$	52 75	Nov. 17, By loan discounted,		49,375	
" " P'd R. F. Simonton, Treas.		37,095 88	" 17, " loan discounted,		49,308 56	
" " 53 N. C. R. R. bonds, 69, 61,		36,893 30	" 28, " 40 bonds sold b'k	Rep.	25,684 92	
Dec. 1, Bank Republic, note,		25,000	" 28, " 30 bonds at 64 $\frac{1}{2}$,		19,350	
" 1, Lent Raleigh Nat. Bank,		13,106 70	" 28, " 10 " at 64 $\frac{1}{4}$,		6,425	
" 1, " G. W. Swepson, Pres.		25,000	" 28, " 40 " at 64		25,060	

1869.	1869.	1869.	1869.
Mar. 25, R. F. Simonton, Treas.,	50,101 02	Feb. 18, By 75 bonds at 59,	\$ 44,250
" " U. S. tax on A. & N. C.		" " col. loan Ral. Nat. b'k,	13,106 70
R. R., interest,	150	" " int. A. & N. C. R. R. b'ds	3,000
		" " int. T. W. D. & Co.,	320 19
		" " interest S. & Co.,	580 65
April 1, P'd S. & Co., coms. 20 b'ds,	25	" " 20 bonds at 59½,	11,900
" " " " 10 " "	12 50	" " 10 bonds at 59½,	5,962 50
" " U. S. tax on sales above,	1 80	" " 113 b'ds sold by b'k Rep.	60,172 50
" 23, Note bank Republic,	60,000	" " 34 N. C. R. R. bonds,	28,900
" 18, H. C. Cowles, Treasurer,	105,945 89	" " interest on same,	1,360
July 1, U. S. tax A. & N. C. R.		" " 5 N. C. R. R. bonds,	4,250
R., interest,	150	" " int on A & N C R R b'ds	3,000
" 1, S. & Co., coms. 95 bonds,	118 75	" " 50 bonds at 53½,	26,625
" 1, U. S. tax on sales,	5 60	" " 30 bonds at 53½,	15,975
" 1, 1½ off 22 funded bonds,	330	" " 5 bonds at 53½,	2,675
Aug. 26, Balance on hand,	50,083 16	" " 10 bonds at 53,	5,300
		" " int. col. of S. & Co.,	42 54
		August	1,200
			<u>\$1,113,776 01</u>
			\$1,113,776 01

66 A 77

(Referred to in the

STATEMENT OF SAM'L. McD. TATE, TRUSTEE, IN ACCOUNT WITH

[illegible]

"A"

deposition of Mr. Tate.)

THE WESTERN NORTH CAROLINA RAILROAD COMPANY.

1870.				
March	1	By sales as shown below to date,	\$ 444,000	
	1	By coupons in my hands,	40	
	1	By bonds in Bank Republic, N. Y., *	316,000	
			\$ 760,040	
1869.				
Aug.	26	By cash paid H. C. Cowles, Treas.,	\$ 60,255	43
Sept.	2	" " " "	40,159	56
Oct.	14	" " " "	31,309	58
	14	" " " "	1,500	
	14	" " Soutter & Co., $\frac{1}{8}$ commission sale 191 bonds,	238	75
	14	By cash paid U. S. tax on sales, same,	8	06
	29	" " H. C. Cowles, Treas.,	30,118	57
1870.				
Nov. & Jan.		By cash paid H. C. Cowles, Treas.,	161,128	91
Feb.	1	" " 1-2 bond \$500 at 25c.,	125	
	1	" " S. & Co., com. sale 200 bonds,	250	
	1	" " U. S. tax on sales, same,	4	90
Mar.	1	By vouchers on hand to balance,	4,378	68
			\$ 329,467	44

* Of these 316 bonds, I learn 14 have been sold at about 35 cents, and proceeds credited on the \$45,727 06 debt, but not having notice from the Bank in writing, can't give the precise figures.

SAMPL. McD. TATE.

March 8th, 1870.

SAML. McD. TATE being *re-examined* says :

Question 1. You stated in your former examination that as President and Trustee you were responsible for 2,223 State bonds. You were asked to account for them, and in your examination stated what disposition had been made of 1,973 bonds. How do you account for the residue, 250 in number ?

Ans. They were taken up and accounted for in different reports to the stockholders by the Treasurer of the company. R. F. Simonton, Treasurer's report of 1867 to June 30th of that year, shows sales and account for 87 bonds. In the same report, page 18, abstract B, appears as paid an account of grading to Crackford and Malone \$6,000, and to Wm. F. McKesson \$2,000 ; these payments were in State bonds, at par, making eight in number. Report 1868, page 17, abstract 11, shows sale of 153 bonds, and Mr. Simonton accounts for two other bonds of the company, as stated in his evidence, making 250 bonds, which, with the 1,973 received by me as trustee, makes 2,223 bonds, the number for which I stated I was responsible.

Ques. 2. What explanation can you give as to the 78 bonds arising from funding coupons, and one additional made up of a fraction of a bond and funds of the company ?

Ans. It will be seen that the Treasurer, Mr. Simonton, has accounted for 250 bonds, and the remaining 1,973 were turned over to me as trustee. I purchased 15 bonds and funded 78,540 coupons, and subsequently bought a half a bond, making an aggregate of 2,067,000 of bonds. They have all been sold except 316, as shown in my detailed statement in my former examination. These 316, or their proceeds, are in the Bank of the Republic, New York. The 79 bonds were sold, 56½ of them on the 15th December, 1868, and 22 on the 1st of July, 1869. I cannot give the exact amount of sales as they were sold with other bonds about that time. The proceeds are

included in my report to the stockholders in 1869, already referred to in my former examination, and at page 38 thereof.

Ques. What explanation have you to make, if any, of a sale of 4 bonds to you by R. F. Simonton, Treasurer.

Ans. I was not the purchaser of those or any other bonds of the company at any time. Mr. Simonton handed me the bonds, I took them to New York and had them sold by the Bank of the Republic and accounted to him for the proceeds. In regard to the use of the bonds of said company for any private purposes, I desire to add, that I once hypothecated for thirty days, for my own use and benefit, 75 mortgage bonds of the Atlantic & North Carolina Railroad Company with the New York Warehouse Company on a loan of \$20,000. That is all the private use I ever made of them or any other bonds of the company. I will further add, by way of explanation, that it will appear from my printed report referred to in my former examination, that investments were made in other securities than North Carolina bonds. I made such investments for and on behalf of the company by virtue of the powers conferred upon me as financial agent. All such investments were accounted for by me. No loss was sustained by such investments, on the contrary a profit was made for the company of some eight or ten thousand dollars.

Ques. 4. Please state whether you received of any officer of a railroad company in this State, after the passage of the late railroad appropriations, any money to be handed to Geo. W. Swepson—if so, state the amount, when and of whom received, and all the circumstances connected with the matter?

Ans. I received in New York a check drawn by John F. Pickerell, of New York, I think, drawn on some bank in New York, for ten thousand dollars. I do not remember the bank, but it was certified by the bank to be good. I had the check collected, and brought the proceeds to Mr. Swepson, at Raleigh. I think it was in the spring or early summer of 1869.

I was on my way to New York and saw Mr. Swepson in Raleigh. He gave me a letter or order addressed to some one,

I don't remember whom, for the payment of some money, and told me to collect it. I presented the paper to the person. I do not now remember whom. I understood from Mr. Swepson that the money, when collected, would be his—and that the claim had been transferred to him by Gen. Littlefield, in payment of a debt due by Littlefield to him Swepson. Swepson told me if I would collect the money he would give me a commission on it of 5 per cent. I did collect the money, paid it to Swepson, and he allowed me \$500, the commissions, in a settlement of private matters between us, some months afterwards. But, finding that Littlefield had to lose the commissions, I returned it to him, in a settlement with him of another matter.

The check was handed to me by Gen. Wm. G. Lewis, who was then engineer in chief of the Williamston and Tarboro' Railroad, who was in New York at the time.

I do not remember whether I handed Mr. Swepson's order to Gen. Lewis or not, but it was in response to that order that the check was handed to me some few days after. I think the order from Swepson was addressed either to Gen. Lewis or to Mr. Stubbs, President of said Tarboro' and Williamston Railroad Company. I think the order was handed to Gen. Lewis by me—this is my best impression.

Ques. 5. Our attention has been drawn to a statement that, in the course of a settlement between yourself and George W. Swepson, \$11,000, or some such large amount, was paid by yourself to him upon some consideration affecting legislation recently theretofore perfected, and relating to appropriations by the State for railroads; please to say whether this statement is founded upon facts, and if so, upon what?

Ans. As a railroad officer I never paid Mr. Swepson or any other person, any sum of money to affect legislation; but in an individual settlement between Mr. Swepson and myself, I allowed him to retain \$11,000, upon the promise from Gen. Littlefield that he (Littlefield) would pay it, which he subse-

quently did. Before this settlement Mr. Swepson claimed to have been at some expense for me in regard to legislation.

I asked him what expense. He replied attorney's fees, or lawyer's fees. I gave him no answer, and left him. I had never authorized him to make any outlay for the company, but I had tacitly admitted the justness of a division of attorney's fees in drawing bills for railroads. This was at the St. Nicholas Hotel in New York city, and about the 23d or 25th of last September. I went to see Gen. Littlefield and asked him what about this claim of \$11,000 which Swepson said he had paid him for me. He said it was all wrong; but if it was necessary to allow that to get a settlement to do so and he himself would repay it to me. It was in this settlement with Gen. Littlefield that I returned to him the \$500 commissions before spoken of, he paying me the balance of \$10,500. The payments were made at different times. I would state that I think I did intimate to Mr. Swepson, before the bills were passed, that I would stand a reasonable expense in procuring the passage of such bills. I meant proper expenses. I told Mr. Swepson at the time that what was paid would have to be out of my own pocket—that the stockholders had not authorized me to expend the company's funds for such purposes.

SAM'L McD. TATE.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman*.

RALEIGH, March 2d, 1870.

R. F. SIMONTON states: I was Treasurer of the Eastern Division of the Western North Carolina Railroad Company, from its organization in 1855, to the 1st of April, 1869; as such there came into my hands State bonds as follows: Fifty bonds, numbers from 3671 to 3720, dated July 1st, 1866, delivered the same date or soon after; fifty ditto 3722 to 3771, dated October 1st, 1866, delivered about that day or soon after;

seven hundred and fifty ditto, numbered 3772 to 4521, dated July 1st, 1867, delivered on or about September 3d, 1867; fifty ditto numbered 4522 to 4571, dated July 1st, 1867, and delivered on or about April 16th, 1868; six hundred ditto, numbered 4572 to 5171, dated January 1st, 1868, and delivered on or about April 2d, 1868; seven hundred and twenty-three ditto, numbered 5172 to 5894, dated January 1st, 1868, and delivered at or about April 16th, 1868, making in all, twenty-two hundred and twenty-three bonds.

I will state that I received also from the Treasurer of the State, nineteen other bonds and charged myself with them as well as the others, but Mr. Battle, the then Treasurer, insisted that the company was bound for the accrued interest on the bonds which was allowed, and I left with him the said nineteen bonds and also paid him a balance of \$340, in cash, for said interest or perhaps in coupons of said bonds, and took his receipt for the whole amount and credited myself with the amount as a disbursement. These were all the bonds which came into the possession of the company since May the 1st, 1865, and while I was treasurer.

Ques. 1. What disposition has been made of the said bonds?

Ans. 1. They were all placed in the hands of S. McD. Tate, who was President of the company, for sale, who was also made financial agent of the company, on or about the 27th of August, 1868. I do not know of my own knowledge how, or when, or to whom said bonds were disposed of, the sales, from time to time, were reported to me through the Bank of the Republic of New York, and I credited myself with the discount at which the bonds were sold. Having before always charged myself with the full amount of the bonds when received.

I received during the fiscal year, ending June 30th, 1867, for eighty-seven bonds \$59,948.79, for the fiscal year ending June 30th, 1868, for one hundred and fifty-three bonds, \$72,463.46 and for six bonds sold before the 1st of April, 1869, \$3,985. I will add that the six last named bonds were sold in this

State, two to John A. Hunt, and four to S. McD. Tate. The above are all the sales of bonds reported to me up to April 1st, 1869, when I went out of office.

I will also state that the foregoing statement is taken from my reports to the company herewith filed and is based, except as to the six bonds, upon statements of the Bank of the Republic which were filed among the vouchers of the Treasurer's office of said railroad company.

When I went out of office I obtained a receipt of S. McD. Tate, president and financial agent, for the sum of \$1,862,913.10, as in his hands, and passed the same over to my successor, H. C. Cowles, in discharge of myself.

I am not able to state what part of the above sum in the hands of Mr. Tate was cash, and what part bonds.

I had charged him on the books with the face amount of all the bonds, and credited him with bonds sold and the discount on such sales.

He also made large payments to contractors and others, the vouchers for which he returned to me, and for which I gave him credit from time to time, and for which I gave him receipts.

I wish further to state that in May, 1868, I received four bonds of Crockford and Malone, contractors on the road, on settlement with them. These bonds are exclusive of those received from the State Treasurer, and I believe are the same that were sold to Mr. Tate.

Ques. 2. What use was made of the money arising from the sales of bonds as stated by you?

Ans. 2. I paid it all out to contractors and upon the construction account of the road; no disbursements of that fund were made for any other purpose.

Ques. 3. Do you know that any State bonds of the company have been at any time sold and afterwards replaced by others?

Ans. 3. I do not.

Ques. 4. Do you know of any money being raised by hypothecation of State bonds on behalf of the company? If so,

state the amount, and where and how, and all the facts about it?

Ans. 4. All I know is, that I have heard Mr. Tate and Dr. Mott state to the directors that they had raised money from time to time upon the bonds in that way. I know nothing of the amounts thus raised, of whom, or when, except as stated in my different reports, and they will show the various sums received by me, viz: September 24th, 1868, from New York Ware House Company, \$50,000; from the same, October 6th, 1868, same amount; from the same, November 9th, 1868, same amount; from the same, December 10th, 1868, same amount; from Raleigh National Bank, March, 1869, \$2,000; T. W. Dewey & Co., March, 1869, \$2,600; Bank of the Republic in April, 1869, \$60,000, and \$100,000, and \$50,000. These loans were made by order of the Board of Directors for the reason that it was deemed best to hold the bonds, believing that they would rise in the market; they were paid by sales of bonds from time to time, as will appear from statements of the Bank of the Republic, to which I have already referred.

Ques. 5. Have you derived, or do you expect to derive any profit, advantage or benefit, directly or indirectly, for yourself or any one else, from the use, sale, hypothecation or otherwise, of the said bonds or any of them? If so, state what, when, and in what way.

Ans. 5. I have not, for myself or any one else, nor do I expect to do it; I have had nothing to do with the sale or hypothecation of any of the above bonds.

Ques. 6. Have any funds arising from the sale or otherwise of said bonds in any manner, been used by you or any one else in or about your or their private transactions or business of any kind? If so, how much, how and when.

Ans. 6. Have used none, and know of none being used by any one else.

Ques. 7. Have you used any State bonds or the proceeds of any State bonds, or do you know, or have you any information and what, of any such bonds or proceeds, having been used by

any one to procure or assist in procuring the passage of any bill or bills through the Legislature of this State? If so, state all the facts fully.

Ans. 7. I have not used, and know of none being used for any such purpose, nor have I offered, nor do I know of any one offering to use them for any such purpose.

R. F. SIMONTON.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman*.

RALEIGH, February 28th, 1870.

J. J. MOTT states that he is President of the Eastern Division of the Western North Carolina Railroad Company, elected in August, 1868, and has been President ever since.

Ques. 1. Look over the statement of the State Treasurer which is now shown to you, and say for what amount, if any, and which of the bonds therein charged you are responsible?

Ans. Says he is responsible for the three hundred and forty State bonds, each for \$1,000, numbered from five thousand nine hundred and fourteen, to six thousand two hundred and fifty-three; first and last numbers inclusive, dated October 1st, 1868, and delivered to Henry C. Cowles, Treasurer of said Company, May 20th, 1869; and also for 273 like bonds, numbered 6,668 to 6,940, both numbers included, dated April 1st, 1869, delivered to himself June 23d, 1869.

Ques. 2. Are any of these bonds still in your possession, or in that of others subject to your order, if so how many; give their numbers, dates and amounts?

Ans. One hundred and twenty of the above bonds have been sold—three hundred and ninety-three are hypothecated with Henry Clews & Co., of New York, and 50 hypothecated with Soutter & Co., of New York.

Ques. 3. How did you dispose of those sold or hypotheca-

ted, when, where, to whom, and at what price or for what consideration?

Ans. Of those sold seventy (70) were disposed of by Henry Clews & Co., on my account as President, on the 12th of July, 1869—forty-five (45) of them at forty-five cents in the dollar—fifteen others of them at forty-five and one-half cents in the dollar, and ten of them at forty-five and a quarter to the dollar. And to the aggregate the seventy bonds, after deducting the commissions, tax and amount, less coupons, netted the sum of \$28,359.32.

The other 100 bonds sold, were sold by Soutter & Co., on my account and orders, on the 17th of January, 1870—twenty-five (25) at twenty-four cents—sixty (60) at twenty-three and three-fourths—and fifteen (15) at twenty-three and one-half. These sales were subject to the same deductions as those last above named. These bonds had been hypothecated with Soutter & Co., upon what are known as “call loans,” that is in such cases the party hypothecating is allowed to draw from time to time; the party upon whom the bills are drawn having the privilege to sell the bonds to reimburse himself at any time.

The bonds in the hands of Soutter & Co., were deposited I think, in the month of December, 1869. And those in the hands of Clews & Co., were deposited I think in the month of July, 1869, and some of them in October, 1869.

The bonds above stated to have been hypothecated with Clews & Co., and Soutter & Co., are now held by them, as will appear by their letters now shown, of the date of the 26th February, 1870. Witness demanded the bonds in order to surrender them to the Treasurer of the State, they declined to surrender them until the amount advanced to him was paid. Soutter & Co's accounts show a balance to them due, of one thousand and sixty-nine dollars. Witness has not the exact account of Clews & Co., but in their letter they claim the amount to be over \$17,000. These amounts are justly due to

the said parties for "call loans" as has already been explained. The amount due to Clews & Co., is less than \$18,000.

Ques. 4. What use did you make of the funds from sales and raised by hypothecation or otherwise, while in your possession, and if not now in your possession state the use if any, made of them whilst you had them, and the disposition finally made of them?

Ans. The funds were used in the purchase of iron, payment of debts, and work of construction of the road; principally in payment for iron and to contractors. When I left home, I think of this fund there remained in the Treasurer's hands some \$2,500, I can't say exactly; the residue of the funds was all properly expended for and on the account of the Company.

Ques. 5. Do the Treasurer's books show the net of these funds, and how and for what purposes they were expended.

Ans. I do not think they do show a complete account of all the matters, but nearly so; the usage has been for the President of the Company to receive large amounts, and to make heavy disbursements for the Company, which at the end of each fiscal year are settled up, and all go into the books of the Treasurer. I can render an itemized account of my net and disbursements of this bond fund and will do so if desired.

Ques. 6. Give if you can the names of parties to whom the bonds were sold, as stated by you?

Ans. I am myself ignorant of the parties purchasing, save from the account of sales rendered to me. Those by Soutter & Co., state sales to the following: To A. C. White 50, D. H. Smith 10, S. H. Bogart 15, Brown & Co. 15, Weston D. B. 10.

By Clews & Co., to W. & Jno. O. Brien 5, H. Lapsley 25, Weston D. Beither & Co. 20, Taylor & Cooper 10, P. Minus 10.

Ques. 7. Please look over the statement of the Treasurer and inform the Commission what, if anything, you may know in regard to the disposal of any other of the State bonds

charged thereupon, or of their proceeds including in such information what if any thing you may have heard said by any person, and whom as to his transaction with said bonds or proceeds—you are aware of the purpose for which this Commission was raised—give us any information that you may have that may aid us in our investigation?

Ans. I have no personal knowledge or information of the disposal of any other bonds than are stated by me, or proceeds of bonds, nor have I heard any thing from any person, as to his transactions with said bonds or proceeds. I was aware that a company or “pool,” as it was called, was formed among some of the Presidents of our railroad companies together with some private individuals of this “pool,” as I understood from some of them, were Mr. Swepson, Gen. Littlefield, Dr. Sloan and A. J. Jones. I do not remember any other railroad President. I was not concerned in it. It was said the purpose in forming the pool was to keep up the price of the bonds by buying the bonds on the market—and I think I was informed by some of them by whom I cannot state now, that some eighteen hundred thousand dollars of the bonds (that is their face amount) were bought up on account of the “pool.” What disposition, if any, was made of these bonds I do not know. I intended myself to have gone into the “pool,” as I thought it commendable, but concluded not to do so.

J. J. MOTT.

Sworn and subscribed before the Commission.

THOMAS BRAGG, Chairman.

[COPY.]

NEW YORK, February 26th, 1870.

J. J. MOTT, Esq., *President, &c.*,

DEAR SIR:—We have your favor of this date demanding your bonds (special tax bonds) of the State of North Carolina, to comply with the recent act of the Legislature of that State

in reply to which we beg leave to say we hold on your account fifty of said bonds on which we have advanced a few thousand dollars, about one thousand, on payment of which they are subject to your demand.

Yours, &c.,

[Signed,]

SOUTTER & CO.

[COPY.]

NEW YORK, Feb. 26th, 1870.

J. J. MOTT, Esq.,

DEAR SIR:—In reply to your favor of this date, we beg to say that we hold \$393,000 North Carolina State bonds for account as security for our advances to you, amounting to over \$17,000, and therefore decline to give them up.

Yours, &c.,

[Signed,]

HENRY CLEWS & CO.

I certify that on or about the 18th day of February, 1869, I received from Col. S. McD. Tate, sixty-eight (68) N. C. bonds, and that on same day they were delivered to Tredegar Iron Company, Richmond, Va., in exchange for 500 tons railroad iron and other railroad supplies. The whole amount was thus disposed of; the bonds were for \$1,000 each, and the price realized from them 60½ cents.

J. J. MOTT.

March 10th, 1870.

Sworn and subscribed before me, this 10th March, 1870.

A. JUDSON MASON, *Clerk Rowan Sup'r Court.*

WESTERN NORTH CAROLINA R. R.,

PRESIDENT'S OFFICE,

Catawba Station, March 10th, 1870.

HON. THOMAS BRAGG, *Chairman Committee, &c.*

DEAR SIR:—I neglected to state, when before you the other day, that I had received from Col. Tate some bonds which were paid to Tredegar Company for iron, &c. The receipt of the company for the bonds is mislaid. I send sworn certificate, which will serve you, I hope, for your report. I will send the Tredegar receipt or duplicate in a few days.

Very respectfully,

J. J. MOTT.

RALEIGH, March 8th, 1870.

The examination of HENRY C. COWLES, who says: I am Treasurer of the Eastern Division of the Western N. C. Railroad Company, and have been, since the month of April, 1869.

Question 1. We see that in the account of J. McD. Tate, former President, he credits himself with sixty-eight bonds as turned over to his successor, J. J. Mott. Do you know in what manner the said bonds were disposed of, and when, if so, state it?

Ans. According to a receipt shown to me by Dr. Mott, they were paid to the Tredegar Company in Richmond, Va., for iron. I do not remember the date—but I can furnish a copy of the receipt, and will do so on my return home.

Ques. 2. How many State bonds have been accounted for to you as Treasurer by J. J. Mott as President, and at what rates?

Ans. I herewith file a statement marked A as part of this examination, from which it will appear that one hundred and seventy bonds sold by him have been accounted for, and therein will appear the prices at which said bonds were sold.

Ques. 3. How has said money been disposed of?

Ans. It has all been paid out in expenditures for the road except about the sum of \$1,800, which is yet in my hands as Treasurer.

Ques. 4. We learn from evidence before us that on or about 1st April, 1869, your predecessor, R. F. Simonton, passed over to you the receipt of Samuel McD. Tate for one million, eight hundred and sixty-two thousand, nine hundred and thirteen ten-one hundred dollars. Have any payments been made to you as Treasurer by said Tate, if so, when and how much, and how does the account between you stand?

Ans. He has accounted to me as follows in money and vouchers, which vouchers I have received of him as cash, viz:

June 18th, 1869,	\$105,945 89
Aug. 27th, "	60,255 43
Sept. 2nd, "	40,159 56
Oct. 14th, "	31,309 58
" " "	1,500 00
" 30th, "	30,118 57
Jan. 10th, 1870,	161,128 91
<hr/>	
Total,	\$430,417 94
Leaving a balance due from him,	1,432,494 16
<hr/>	
	\$1,862,913 10

The apparent balance is the gross amount with which he stands charged on the books of the company. Of course it is subject to such discounts on sales of bonds as he may be entitled to, and also vouchers for any expenditures made by him. I am not able to state the true balance in his hands, as he has not rendered to me his account, nor have we had any settlement since I became Treasurer. I have only credited him, therefore, for the cash actually paid and vouchers handed over to me.

Ques. 5. Can you state what part of Mr. Tate's payments are in cash and what in vouchers?

Ans. I cannot; I only kept an account of the whole as cash.

Ques. 6. What disposition was made of his cash payments?

Ans. It was paid out in expenditures for the road for freights on iron and other dues by the company. I do not remember that I paid out any of the money I received from Mr. Tate for contractors—though I have for Dr. Mott—when money was wanted for some special purpose, Mr. Tate, on application, usually gave me a check for the money on New York.

Mr. Tate ceased to be financial agent about the 26th or 27th August, 1869. About January 8th, 1870, as well as I remember, Mr. Tate executed a release of the trust made to him as trustee for the company. The deed of release is on file in the office of the company. There has been no general meeting of the stockholders since, and no final settlement with Mr. Tate.

HENRY C. COWLES.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman.*

J. J. MOTT IN ACCOUNT WITH THE

1869.	To bond received of Treas. Cowles,	\$ 340,000
	“ “ “ “ “ Jenkins,	273,000
	Total,	\$ 613,000
July 12	To sales through H. Clews & Co., 10,000 at 45,	\$ 4,037 05
	To sales through H. Clews & Co., 5,000 at 45½,	2,043 52
	To sales through H. Clews & Co., 20,000 at 45,	8,074 10
	To sales through H. Clews & Co., 5,000 at 45,	2,018 52
	To sales through H. Clews & Co., 10,000 at 45½,	4,087 04
	To sales through H. Clews & Co., 10,000 at 45,	4,037 05
	To sales through H. Clews & Co., 10,000 at 45¼,	4,062 04
1870.		
July 18	To sales through Soutter & Co., 10,000 at 24,	2,387 26
	To sales through Soutter & Co., 50,000 at 23¾,	11,811
	To sales through Soutter & Co., 15,000 at 24,	3,580 89
	To sales though Soutter & Co., 15,000 at 23½,	3,505 89
	To sales through Soutter & Co., 10,000 at 23½,	2,362 26
	Total,	\$ 52,006 93
	To am't 600 drawn at Clews & Co.,	17,217 01
	“ “ “ Soutter & Co.,	1,069 50
		\$ 70,293 44

WESTERN NORTH CAROLINA R. R. CO.

1869.	By sales through H. C. Clews & Co.,	\$ 70,000	
1870.	By sales through Soutter & Co.,	100,000	
Jan. 18	“ bonds on hand,	443,000	
	Total,	\$ 613,000	
	By am't paid H. C. Cowles, Treas.,	65,793	44
	“ “ “ in exchange for full bonds,	4,500	
		\$ 70,239	44

EXPLANATION OF THE ABOVE.—I will say that the sales reported by Clews & Co. are net sales, and those by Soutter & Co. are not, but were subject to a deduction of \$4,500, as above, on account of coupons being short; or, as I understand it, according to the rules of the Broker's board, full bonds are those having coupons upon them from and after 1st July, 1868.

HENRY C. COWLES.

HENRY C. COWLES,
Treas. & Pres. W. N. C. R. R.

WILMINGTON, CHARLOTTE & RUTHERFORD RAILROAD COMPANY.

R. H. COWAN states that he was President of the Wilmington, Charlotte & Rutherford Railroad Company from October, 1863, to July, 1869, and that as such he is accountable to the State for four hundred and thirty bonds of a thousand dollars each, received by himself March 19th, 1866, and for one thousand other State bonds received by I. T. Alderman, Treasurer of said company, as his agent, June 1st, 1869; and charged upon the statement furnished by the Treasurer of the State to the Committee.

Ques. 1. Are any of these bonds still in your possession, or in that of others for your use officially? if so, how many? Give their numbers, dates and amounts.

Ans. There are thirty bonds in the hands of Soutter & Co., of New York, of the above thousand, subject to the order of the company through myself, having been left under my control for a temporary purpose upon my quitting office as above. I cannot give the numbers; they are dated April 1st, 1869.

Ques. 2. How did you dispose of those which you say are not in your possession; when, where, to whom, and at what price?

Ans. I employed Soutter & Co. as the agents for the company, and, excepting two hundred and seventeen, the bonds were sold by them as shown by papers herewith submitted, and marked "A." I believe those papers to contain a correct account of the whole transaction. The two hundred and seventeen were disposed of by me in the settlement of old accounts contracted before the late war, as is set forth in papers marked "B." I believe these papers set forth *bona fide* accounts in every respect. The papers marked "A," besides the transaction above referred to, exhibit an account of sales of one hundred and fifty other bonds deposited with Soutter by H. W. Guion, former President, in 1861; and also forty-one bonds

received from the Treasurer of the State under the funding act of 1865-'66, which do not appear upon his statement.

Ques. 3. Have you made any use, temporary or other, of any of the above bonds, by hypothecation or otherwise?

Ans. I have not, either personally or by agent.

Ques. 4. Please to give an account of your connection with these bonds and their proceeds, from the time they came into your hands until that at which they were turned over to the parties entitled to receive them?

Ans. I received them as above stated, disposed of them as above stated, and also disposed of the proceeds as by statements and vouchers marked "C," and herewith submitted. The papers marked "A," "B" and "C," contain an accurate and complete account of my connection with such bonds and their proceeds. The papers marked "C" are numbered 1, 2, 3, 4, 5, 6, 7 and 8; of these, 1, 2, 3 and 4, were notes of the company, negotiated at their respective dates to raise funds in part to pay certain debts contracted before the war, but principally to pay debts incurred by rebuilding the road at the end of the war. The details of which will be given if required.*

Ques. 5. Look over the Treasurer's statement of State bonds issued by him, and say whether you know anything in relation to such bonds material to the purposes of this investigation, meaning thereby whether you know anything in relation to their sale, or any other disposal of them; or anything in relation to their proceeds?

Ans. I know nothing, and have never heard any of the parties charged in the Treasurer's statement say anything in relation thereto.

ROBERT H. COWAN.

*NOTE.—Upon a requisition to that effect, Mr. Cowan sent up three papers, which will be found upon file; one of them to be reckoned as C. 9, of the exhibits.

STATE OF NORTH CAROLINA.

Before the undersigned upon this 26th day of February, 1870, came Robert H. Cowan, and made oath that the answers and statements in the above deposition are true.

WM. B. RODMAN,

Justice of Supreme Court of N. C.

BOND ACCOUNT No. 1.

Robert H. Cowan, President, Wilmington, Charlotte & Rutherford Railroad Company.

150 bonds in the hands of J. T. Soutter deposited with him by H. W. Guion, President, in 1861,	\$150,000 00
430 bonds received from Public Treasurer under act of General Assembly of 1865-'66,	430,000 00
41 bonds received from Public Treasurer, for coupons, funded,	41,000 00
621 bonds,	\$621,000 00

These were sold and applied as follows :

404 as per James T. Soutter's account current herewith, net sales \$254,246 94,	404,000 00
2 paid John F. Hoke, in settlement, at par, ..	2,000 00
145 paid Duncan Sherman & Co., and James Tinker, of New York, as per V. A. McBee's statement, marked No. 2, net sales \$101,500,	145,000 00
20 paid to Rich'd Norris & Sons, Philadelphia, for engine, \$17,066	20,000 00

28 paid Geo. W. Grice, for Union Car Works, nett sales, \$17,086,.....	\$ 28,000 00
22 sold James Dawson, banker, and disbursed in Treas. general account, net \$13,323.60,	22,000 00
—	—
621 bonds	\$621,000 00

BOND ACCOUNT No. 2.

Cash received from sales of N. C. bonds per ac- count sales herewith,.....	\$436,988 84
Balance interest in company's favor,.....	508 42

\$437,497 26

To Company's notes herewith :

March 25th, 1867, 12 months account,.....	\$ 60,000 00
July 9th, " " " " 	60,000 00
Aug. 3d, " " " " 	30,000 00
" 14th, " " " " 	30,000 00
Cash paid J. T. Alderman, Treasurer,.....	117,826 73
" " V. A. McBee, " 	69,111 63
" " H. W. Guion, per his certificate,.....	2,756 18
" in hands of ditto,.....	498 92
" paid Public Treasurer expired interest,...	1,250 00
" " placing \$4,000,000 on stock list,.....	10,000 00
" " coupons 1st mortgage bonds,.....	56,053 80

\$437,497 26

ACCOUNT SALES OF NORTH CAROLINA BONDS ON ACCOUNT OF
R. H. COWAN, PRESIDENT.

1869.				
June 24	To paid for 8,000 N. C., 55 commission, To 970 bonds, coupons 45,			\$4,410 43,650
				\$48,060
25	By 25,000 (less com. $\frac{1}{8}$ and tax,)	55 $\frac{1}{2}$	13,842 36	
26	By 40,000 N. C.,	55 $\frac{1}{2}$	22,147 78	
July 1	By 75,000 "	52 $\frac{3}{4}$	39,464 79	
3	By 10,000 "	52 $\frac{1}{2}$	5,236 99	
	By 45,000 "	52	23,341 41	
	By 15,000 "	52 $\frac{1}{4}$	7,817 96	
18	By 200,000 "	43	85,741 40	
Aug. 8	By 13,000 "	52	6,743 07	
17	By 250,000 "	50	124,675	
9	By 87,000 "	51 $\frac{1}{2}$	44,691 76	
18	By 90,000 "	50	44,883	
19	By 5,000 "	51	2,543 49	
	By 50,000 "	50	24,935	
20	By 15,000 "	52	7,780 47	
27	By 50,000 "	54	26,934 80	
28	By 5,000 "	53 $\frac{1}{2}$	2,668 48	
31	By 3,000 "		1,601 08	
				485,048 84
	Credit,			\$436,988 84

STATEMENT OF NEW NORTH CAROLINA BONDS SOLD FOR ACCOUNT
OF R. H. COWAN, PRESIDENT.

1869.			
J ^{ne} 23	10 to Hewett & Ryerson,	at	55½
	15 to Smith, Randolph & Co.,	at	55½
26	40 to Henry Clews & Co.,	at	55½
July 1	50 to E. Brandon & Co.,	at	52¾
	25 to Henry Clews & Co.,	at	52¾
3	10 to J. D. Probst,	at	52½
	10 to Vermilye & Co.,	at	52
	10 to C. Bartow,	at	52
	10 to Cushman & Hulbut,	at	52
	5 to Baldwin & Weeks,	at	52
	5 to Hoyt & Gardner,	at	52
	4 to Gray, Prince & Co.,	at	52
	1 to J. D. Probst,	at	52
	10 to Hallgarten & Co.,	at	52¼
	5 to Vermilye & Co.,	at	52½
16	200 to D. H. Smith & Co.,	at	43
Aug. 8	13 to M. Criss,	at	52
9	10 to Lloyd, Hamilton & Co.,	at	51½
	40 to D. M. Morrison,	at	51½
	20 to Howes & Macy,	at	51½
	10 to Greenleaf Norris,	at	51½
	7 to D. Henry Smith,	at	51½
17	100 to A. Barstow & Co.,	at	50
	100 to Howes & Macy,	at	50
	50 to Utley & Dougherty,	at	50
18	50 to D. M. Morrison,	at	50
	10 to Utley & Dougherty,	at	50
	30 to D. Henry Smith,	at	50
19	5 to Utley & Dougherty,	at	51
	50 to Greenleaf, Norris & Co.,	at	50
20	15 to Utley & Dougherty,	at	52
27	20 to " "	at	54
	10 to Lloyd Hamilton,	at	54
	20 to D. Henry Smith,	at	54
28	5 to A. S. Davis,	at	53½
	3 to Utley & Dougherty,	at	53½
	978 sold.		
	8 purchased.		
	970		

WILMINGTON, CHARLOTTE AND RUTHERFORD R. R. COMPANY,
IN ACCOUNT CURRENT WITH JAMES T. SOUTTER.

By the following cargoes of Railroad iron delivered at Wilmington, North Carolina, to this date for their account and risk:

1869.		TONS.	CWT.	Q'RS	LBS.
August 1	"Camilla,"	269	18	3	18
18	Mary Fenwick,	329	19	2	26
Sept. 2	Britius,	306	16	2	15
2	Palmetto,	339	17		1
23	Bonafide,	331	4	1	26
Oct. 14	Titan,	230		2	13
19	Florence,	270	5	3	16
Dec. 1	Pathshire,	119			
1860.					
Jan. 12	Robert Bruce,	257	10	1	13
23	B. F. Martin,	300	6		9
23	Camilla,	273	8	2	15
	Northern Light,				
Feb. 10	David Faust,	300	1	1	19
	H. R. Coggschall,				
March 8	George Stockham,	300	1	2	14
April 17	Faithful,	219	19	2	9
28	John Griffin,	431	15		13
May 10	Forest Queen,	250	7	2	14
17	Admiral Blake,	220	2	3	5
June 2	Robert Bruce,	250	3		22
12	Iris,	112	18	1	22
August 1	Sylpheden,	244	12	1	18
12	Prince Albert,	231	3	1	9
	Neptunes Bride,				
	Helene,				
	Emily,				
	M. Y. Davis,				
	J. T. Williams,				
	E. Kidder,				
Oct. 15	Truxillo,	2,004	9	6	
	Israel H. Day,				
	Helene,				
	I. W. Page,				
	S. C. Evans,				
	N. W. Smith,				
	W. H. Smith,				
1861.					
June 1	Robert Bruce,	250	2	2	9
8	Isabella,	280	13		14
July 1	Tyne,	299	15	3	26
Sept. 1	Admiral Blake,	171	11	1	27
		8,596	6		15
	At \$51 50 per ton and 50 cents per ton brokerage,				
					\$ 447,007 95

J. T. SOUTTER.

STATEMENT OF SALES OF NORTH CAROLINA BONDS FOR ACCOUNT
OF WILMINGTON, CHARLOTTE AND RUTHERFORD R. R. CO.

1866.								
July	2	10M.	new	N. C. Bonds	at	61	\$ 6,100	
	4	15M.	"	"	"	62	9,300	
August	4	15M.	old	"	"	61 less 1½ off	8,925	
	6	5M.	"	"	"	61	2,975	
	7	6M.	new	"	"	63	3,780	
	8	20M.	old	"	"	61 less 1½ off	11,900	
	9	12M.	"	"	"	61	7,140	
	11	5M.	"	"	"	62½	3,050	
	14	6M.	"	"	"	62½	3,660	
	14	7M.	"	"	"	62½	4,287 50	
	15	18M.	new	"	"	62¾	11,295	
	16	20M.	"	"	"	62½	12,500	
	17	5M.	"	"	"	62½	3,050	
	18	11M.	"	"	"	62¾	6,902 50	
	18	38M.	"	"	"	63	23,940	
	20	10M.	old	"	"	62¾ less 1½ off	6,125	
	22	20M.	"	"	"	63½	12,400	
	27	6M.	new	"	"	64	3,840	
	27	2M.	old	"	"	64 less 1½ off	1,250	
	29	10M.	new	"	"	63¾	6,375	
	30	24M.	old	"	"	63¾ less 1½ off	14,940	
	30	6M.	new	"	"	63¾	4,462 50	
	31	10M.	old	"	"	64 less 1½ off	6,250	
	31	9M.	new	"	"	64	5,760	
	Sept.	3	7M.	old	"	"	64 less 1½ off	4,375
		10	10M.	new	"	"	64	6,400
18		10M.	"	"	"	64	6,400	
20		10M.	"	"	"	65	6,500	
20		10M.	"	"	"	65¼	6,525	
22		3M.	"	"	"	65½	1,953 75	
22		6M.	"	"	"	65	3,900	
24		5M.	old	"	"	65 less 1½ off	3,175	
Oct.	9	30M.	new	"	"	64	19,200	
	11	20M.	"	"	"	63½	12,700	
	11	2M.	old	"	"	63 less 1½ off	1,230	
		875 coupons		"	62	542 50		
Interest on above sum to October 12, (average time, August 25,)							\$ 253,108 75	
							2,350 19	
Less ¼ off brokerage and 1-20 off for Government tax on sale of 404,000 bonds,							\$ 255,458 94	
							1,212	
							\$ 254,246 94	

WILMINGTON, CHARLOTTE & RUTHERFORD RAILROAD COMPANY,
IN ACCOUNT WITH JAMES T. SOUTTER.

		Dr.		
1861.				
July	1	To balance,	\$ 162,306 71	
		To int. to date (Oct. 12) 5 y'rs, 103 days,	60,052 38	
1866.				
April	7	To cash,	15,000	
		To interest to date, 188 days,	548 01	
July	1	To cash advance per payment July co'ns,	11,520	
		To interest to date, 103 days,	230 32	
July	10	To payment of Company's note to New York Security Company,	10,425	
		To interest to date, 94 days,	190 44	\$ 260,272 86
1866.				
Oct.	12	By proceeds of \$404,000 North Carolina bonds as per accompanying statement,	254,246 94	
		By balance carried forward,	6,025 92	\$ 260,272 86

WILMINGTON, CHARLOTTE & RUTHERFORD R. R. COMPANY
Dr.

1861.				
July 1	To cost of 8,596 tons, 6 cwt. 15 lbs. Railroad iron by average due May 7, 1860, at \$51.50 per ton, and 50 cents brokerage,	\$ 447,007 95	\$ 36,004 96	
	To freight on \$200,000 N. C. bonds, telegraphs, &c., &c.,	352 56		
July 1	To balance of interest,	18,040 40		
		\$ 465,400 91	\$ 36,004 96	
July 1	To balance brought down due this day,	\$ 172,888 41		

E. & O. E.

J. T. SOUTTER.

NEW YORK, July 1, 1861.

IN ACCOUNT CURRENT WITH JAMES T. SOUTTER.

Cr.

1860.				
M'ch 3	By sales of 100,000 6's, averaging $95\frac{1}{2}$ less $\frac{1}{4}$,	\$ 95,255	\$ 8,860	02
July 31	By sales of 125,000 N. C. 6's, averaging $96\frac{1}{2}$ less $\frac{1}{4}$,	120,367 50	7,733	19
1861.				
M'ch 30	By sale of 100,000 N. C. 6's, averaging $77\frac{1}{8}$ less $\frac{1}{4}$,	76,890	1,371	35
July 1	By balance of interest to debit,		18,040	40
July 1	By balance carried down,	172,888 41		
		\$ 465,400 91	\$ 36,004	96
June 21	By amount due to Bank of Wilmington for freight per "Isabella," payment of which assumed by the Company, 1,485.22, Interest and charges to August 2nd, 56.09	1,541 31		
Aug. 20	By 171 $\frac{1}{2}$ tons iron sold W. S. Ashe, President, By difference on \$7,000 N. C. bonds, sent to pay Company's acceptance,	8,921 88 118 51		
		10,581 70 172,888 41		
June	Balance due J. T. Soutter, By \$150,000 N. C. bonds for sale on account of the Company, and proceeds to be credited against above balance.	\$ 162,306 71		

J. T. SOUTTER.

ACCEPTANCES.

THE WIL., CHAR. & RUTH. R. R. CO.,
STATE OF NORTH CAROLINA,
(\$67,603.60.) Wilmington, N. C., March 14th, 1870.

On the 18th day of May next, pay to the order of Brown, DeRosset & Co., sixty-seven thousand, six hundred and three dollars and sixty cents, value received, and charge to account of
DEROSSET, BROWN & CO.

To the Wil., Char. & Ruth. Railroad Company.

No. 46 :—Endorsed "Brown, DeRosset & Co."

THE WIL., CHAR. & RUTH. R. R. CO.,
STATE OF NORTH CAROLINA,
(\$2,370.36.) New York, Oct. 20, 1869.

Six months after date pay to the order of ourselves at Bank of Wilmington, N. C., twenty-three hundred and seventy dollars and thirty-six cents, with current rate of exchange on New York, value received, and charge to account of railroad chairs per Schooner Maggie Van Dusen, from Philadelphia.

BROWN, DEROSSET & CO.

To the Wil. Char. & Ruth. R. R., Wilmington, N. C.

No. 29 :—Endorsed "Brown, DeRosset & Co."

THE WIL., CHAR. & RUTH. R. R. CO.,
STATE OF NORTH CAROLINA,
(\$1,242.31.) New York, Nov. 9th, 1860.

Six months after date pay to the order of DeRosset, Brown & Co., at Bank of Wilmington, N. C., twelve hundred and

forty-two* and thirty-one cents, with current rate of exchange on New York, value received, and charge to account of railroad chairs per K. B. Howlett, from Philadelphia.

BROWN, DEROSSET & CO.

To the Wil., Char. & Ruth. R. R. Co., Wilmington. N. C.

No. 23 :—Endorsed “DeRosset, Brown & Co.; Brown, DeRosset & Co.”

(\$1,467.12.)

NEW YORK, Dec. 6, 1860.

Six months after date pay to the order of ourselves at Bank of Wilmington with current rate of exchange on New York, fourteen hundred and sixty-seven dollars and twelve cents, value received, and charge to account of railroad chairs, two invoices, per Eva Bell from Philadelphia.

BROWN, DEROSSET & CO.

To the Wil., Char. & Ruth. R. R. Co., Wilmington, N. C.

No. 38 :—Endorsed “Brown, DeRosset & Co.”

(\$1,329.56.)

NEW YORK, Jan. 16, 1861.

Six months after date pay to the order of ourselves at Bank of Wilmington with current rate of exchange on New York, thirteen hundred and twenty-nine dollars and fifty-six cents, value received, and charge to account of railroad chairs per schooner Belle from Philadelphia,

BROWN, DEROSSET & CO.

To the Wil., Char. & Ruth. R. R. Co., Wilmington, N. C.

No. 43 :—Endorsed “Brown, DeRosset & Co.”

* No “dollars” in original.

(\$1,800.90.)

NEW YORK, Nov. 26th, 1860.

Six months after date pay to the order of ourselves at Bank of Wilmington with current rate of exchange on New York, eighteen hundred dollars and ninety cents, value received, and charge to account of, your obedient servants,

BROWN, DEROSSET & Co.

To the Wil., Char. & Ruth. R. R. Co., Wilmington, N. C.

No. 35:—Endorsed "Brown, DeRosset & Co."

LINCOLNTON, N. C., Feb. 25th, 1870.

I certify the foregoing to be true copies of the acceptances returned to this office as paid off by R. H. Cowan, President, and that there are other evidences by letters and receipts acknowledging the payment of the same with interest thereon, from the parties, which are on file with said vouchers. And the same were entered by order of President Cowan, as on page 5.

V. A. MCBEE, *Treasurer*,
Western Division W. C. & R. R. R. Co.

TRUE STATEMENT OF ENTRIES IN EXPLANATION OF FOREGOING
COPIES OF ACCEPTANCES, &c.

V. A. McBEE, TREAS.

Bills payable,	\$ 67,603 60		
Interest account, $1\frac{1}{2}$ per ct. commis- sions on above, \$ 1,014 06			
Interest to Dec. 31, 1865, included, 22,148 25			
	\$ 23,162 31		
		\$ 90,765 91	
To Cash:—			
H. W. Guion, President, at accept- ance of draft by DeRosset, Brown & Co., endorsed by Brown, De- Rosset & Co.,			
Bills payable,	8,210 25		
Interest account,	2,651 57		
		\$ 10,861 82	
Acceptances of H. W. Guion, Pres., of draft by DeRosset, Brown & Co., passed to James Tinker, for iron, &c.:			
April 23, 1861, \$ 2,370 36			
May 12, " 1,242 31			
May 29, " 1,800 90			
June 9, " 1,467 12			
July 19, " 1,329 56			
	\$8,210 25		
Due by av. May 21, '61, int. to Jan. 1, 1866, 2,651 57			
	\$10,861 82	\$ 101,627 73	\$ 101,627 73
To cash, 145 N. C. bonds sold to Duncan & Sherman, and J. Tinker, at 70c.,	101,500		
Profit and loss,	43,500		
		\$ 145,000	
Cash, Dr. to E. D., paid by E. D. for W. D., balance on J. Tinker's account, \$127 73			

I hereby certify that a locomotive engine, called the "Mecklenburg," which is now in daily use on the Wilmington, Charlotte & Rutherford Railroad, was purchased of Richard Norris & Sons, of the city of Philadelphia, and that the bill therefor, dated May 22d, 1866, as appears by the regular entry in the Company's books, was for the sum of \$17,338.75; and that the said bill was settled as follows:

Account against Norris & Sons then standing	
upon the books of the Company,.....	\$ 241.08
Amount carried to new account,.....	97.67
Twenty North Carolina bonds taken at 85c.,....	17,000.00
	<hr/>
	\$ 17,338.75

I also certify that twenty-eight North Carolina bonds taken at the net sum of \$17,086.65 were paid to Union Car Works in part payment of an account for equipment, which had been contracted before the war.

I also certify that twenty-two North Carolina bonds were sold by James Dawson, banker, for the net sum of \$13,323.60 and disbursed in the general account, and that all this appears on the books of the company.

I. T. ALDERMAN, Treas.,
E. D. N. C. & R. R. C.

Wilmington, N. C., Feb. 24th, 1870.

—
"C." No. 1.

(COPY.)

WILMINGTON, N. C., March 25th, 1867.

(\$60,000.)

Twelve months after date the Wilmington, Charlotte & Rutherford Railroad Company promises to pay to the order of

Robert H. Cowan sixty thousand dollars, for value received, payable at the National Bank of the Republic in the City of New York, having deposited as collateral security two hundred of the first mortgage bonds of the said railroad company for \$1,000 each, numbered from 301 to 500 inclusive, with power to sell in case of default of payment.

In witness whereof, the said railroad company hath caused these presents to be signed
[SEAL.] by its President and sealed with its corporate seal.

[Signed,]

ROBERT H. COWAN.

“C.” No. 2.

(COPY.)

WILMINGTON, N. C., July 9th, 1867.

(\$60,000.)

Twelve months after date the “Wilmington, Charlotte & Rutherford Railroad Company” promise to pay to the “Warehouse and Security Company” at their office in the City of New York, sixty thousand dollars, for value received, and as collateral security for the payment of the same, they have deposited two hundred of first mortgage bonds of their company for \$1,000 each, numbering from the 601-901 to 700-1000 inclusive.

In testimony whereof, the President of the company has hereunto signed his name, and caused the corporate seal to be affixed.

[SEAL.]

[Signed]

ROBT. H. COWAN, *President.*

"C." No. 3.

(COPY.)

WILMINGTON, N. C., August 3d, 1867.

(\$30,000.)

Twelve months after date the Wilmington, Charlotte & Rutherford Railroad Company promise to pay to Robert H. Cowan, or order, thirty thousand dollars, for value received, at the National Bank of the Republic in the City of New York, and as collateral security therefor, the said company have deposited with the New York Ware House and Security Company one hundred of their first mortgage bonds, numbered from 51 to 150 for one thousand dollars each.

In witness whereof, the said company has caused these presents to be signed by its President, and sealed with its corporate seal.

[SEAL.]

[Signed,]

ROBERT H. COWAN.

"C." No. 4.

(COPY.)

WILMINGTON, N. C., August 14th, 1867.

(\$30,000.)

Twelve months after date the Wilmington, Charlotte & Rutherford Railroad Company promise to pay to Robert H. Cowan, or order, at the National Bank of the Republic in the City of New York, thirty thousand dollars, for value received; and as collateral security therefor, the said company has deposited with the New York Ware House and Security Company

one hundred of their first mortgage bonds, for one thousand dollars each, numbered from 1 to 50, and from 269 to 300, and from 151 to 168.

In witness thereof, the said company has caused these presents to be signed by its President, and sealed with its corporate seal.

[SEAL.]

[Signed,]

ROBERT H. COWAN, *President.*

"C." No. 5.

[COPY.]

STATEMENT OF CASH RECEIVED FROM ALL SOURCES AS TREASURER OF E. D. W., C. & R. R. R. CO., FROM JUNE 1ST TO OCTOBER 9TH, 1869.

1869.				
June 1	By balance cash on hand,		\$	8,126 24
	By cash from Pres. drafts on Soutter & Co.,			10,000
30	By cash from Pres. drafts on Soutter & Co.,			10,000
Aug. 10	By cash from Pres. drafts on Soutter & Co.,			75,000
13	By cash from R. H. Cowan,			10,800
Sept. 21	By cash from Pres. drafts on Soutter & Co.,			46,090 46
	By cash from Pres. drafts on Soutter & Co.,			10,936 27
			\$	170,952 97
	By cash from Transport.,			40,153 52
			\$	211,106 49
	To cash disbursed as per Vouchers Nos. 515, 798.			
	Road Dept., including Brs., Trestles, &c., &c., &c.,	\$	10,418 50	
	Mechanical Department,		7,801 89	
	Transportation,		8,768 78	
	Steam Ferry,		3,374 81	
	Expense account,		5,916 68	
	Freight damages,		627 72	
	Wood,		3,681 81	
	Cross ties,		650 86	
	Oil and Waste,		754 55	
	Taxes,		116 96	
	Attorney's fees,		1,425	
	Bills payable, settled,		10,750 78	
	Interest,		3,144 11	

"C." No. 5.—(CONTINUED.)

Equipment,	\$ 625 15		
Stage Line,	619 44		
Stores,	2,190 55		
Stock damages,	93		
Construction,	617 53		
Engineering,	1,263 08		
Anticipation bonds and interest,	43,083 74		
Graduation,	25,026 38		
Iron account,	602		
Railway Bridge Co.,	1,600		
Sand damages,	125		
Negro bonds,	144		
Chairs and Spikes,	2,115 53		
Western Division,	46,281 92		
	\$ 182,719 77		
Bal. to new account,	28,386 72		
	\$ 211,106 49	211,106 49	

In the foregoing account the total receipts from

all sources amount to.....\$211,106 49

Of this amount there was cash on

hand,.....\$ 8,126 24

From transportation,..... 40,153 52

Accounted for by V. A. McBee, 45,000 00 93,279 76

Leaving bal. received from the Pres.,.....\$117,826 73

I certify that the foregoing contains a true and full account of the moneys received from R. H. Cowan, President, and of the disbursement of the same, under the order of the Board of Directors; and the vouchers representing the amounts disbursed are on file in the office of the Treasurer of the Eastern Division of the company.

(Signed,)

I. T. ALDERMAN,
Treas. E. D.

"C." No. 6.

STATEMENT OF V. A. McBEE, TREASURER W. D. W., C. & R. R. R. COMPANY, OF OLD BOARD, AFTER NEW ORGANIZATION, JULY 30TH, 1869.

1869.				
Sep 30	To cash from E. D. to pay J. G. Justice,	\$ 350		
Nov 17	To pay L. D. Childs,	664 50		
Apr 20	To pay C. C. Henderson, Through W. J. Miller,	325 73		
		1,026 50		
				\$ 2,366 73
Aug 16	Received of R. H. Cowan, President, check for	25,000		
Oct 12	Sent to H. W. Guion,	15,000		
20	Check from E. D.,	20,000		
Nov	Received from H. W. Guion,	6,744 90		
				66,744 90
				\$ 69,111 63

DISBURSED AS FOLLOWS :

Voucher	70, paid to A. Black, Gr. Force No. 2.	\$ 11 20	
"	71, Paid to Warehouses and W. S. Machinery,	227 49	
"	72, Paid Wright and Steadman,	65 37	
"	75, Paid T. W. Robinson,	24 30	
"	77, Paid W. H. Michal,	253 19	
"	84, Paid sundry persons,	1,292 35	
"	85, Paid Anticipation bond and interest,	20,994 82	
"	86, Paid Anticipation bond and interest,	11,198 37	
"	87, Paid A. A. N. M. Taylor,	700	
"	88, J. Ramsour & Co.,	485 67	
"	89, D. Frontrain,	195	
	90, Anticipation bonds and interest,	28 71	

"C." No. 6.—(CONTINUED.)

Voucher 91, C. L. Hutchinson,	\$	112	95	
" 92, W. T. Phifer,		194	68	
" 93, Anticipation bonds and interest,		1,056	84	
" 94, Anticipation bonds and interest,		3,340	52	
" 95, Anticipation bonds and interest,		3,492	76	
" 96, Anticipation bonds and interest,		175	95	
" 97, Anticipation bonds and interest,		3,869	89	
" 98, Sundry persons,		350	42	
" 99, " "		558	07	
" 100, W. F. Phifer,		346	45	
" 101, C. W. Walker,		32	40	
" 102, A. C. Williamson,		186		
" 103, H. B. Williams, gdr.		489		
" 104, T. H. Brem,		76	13	
" 105, M. A. Lowrie,		70	82	
" 106, Cockran & Sample,		155	01	
" 107, J. M. Howie,		84	89	
Paid for equipment, freight and other expenses for new organization to August 31st,		3,600	94	
Paid F. Gardner,		3,054	96	
" M. J. Ayclott,		3,080	22	
Cash in hands of H. W. Guion,		2,420	96	
In bank of Thos. R. Tate and T. W. Dewey,		4,196	39	
Balance in hands of Treasurer,		2,688	91	
		\$ 69,111	63	\$ 69,111 63

As Treasurer of the Western Division of the Wilmington, Charlotte & Rutherford Railroad Company, I hereby certify that the foregoing is a true statement of the money received under the old organization of the Board of Directors, from the President in cash and a statement of the disbursements made pursuant to the order of the Board.

[Signed]

V. A. McBEE,

Treasurer W. C. & R. R. R., W. D.

Lincolnton, Feb. 12, 1870.

"C." No. 7.

OF THE \$10,000 THE VOUCHERS FOR THE EASTERN DIVISION ARE
AS FOLLOWS, VIZ:

On Bond No. 471, Principal,	\$ 82 06	
Interest,	33 62	115 68
" " " 66, Principal,	47 16	
Interest,	33 37	80 53
" " " 178, Principal,	446 95	
Interest,	290 50	737 45
" " " 123, Principal,	24 39	
Interest,	16 48	40 87
" " " 40, Principal,	37 97	
Interest,	27 61	65 48
" " " 14, Principal,	69 28	
Interest,	51 18	120 46
" " " 15, Principal,	16 80	
Interest,	12 57	29 37
" " " 213, Principal,	120 89	
Interest,	74 80	195 69
" " " 229, Principal,	128 04	
Interest,	77 44	205 48
" " " 299, Principal,	167 66	
Interest,	96 29	263 95
" " " 263, Principal,	182 73	
Interest,	107 70	290 43
" " " 185, Principal,	120 66	
Interest,	76 50	197 16
" " " 41, Principal,	40 25	
Interest,	29	69 25
Balance of account due J. Blake,		22 15
Note to Jas. Wallace, Principal,	201 65	
Interest,	97 98	299 63
Account due L. D. Childs,		21 70
Telegram,		90
Disbursed E. D.,		2,756 18
Disbursed W. D.,		6,744 90
Unexpended balance in hand,	\$ 498 92	\$ 9,501 08

[Signed]
Charlotte, February 11th, 1870.

H. W. GUION.

Anticipating a change in the organization of the Wilmington, Charlotte and Rutherford Railroad Company, the Board of Directors wishing to provide for old contractors (citizens of the counties along the line chiefly) to whom debts had been long due, for work done and services rendered to the company—passed an order instructing the President to make payment of the same. In pursuance thereof I received from Col. R. H. Cowan, president of the company, on the 1st of August, 1869, the sum of fifteen thousand dollars—and disbursed all of the same, except \$2,420.96 in the payment of old debts specified in said order and transmitted the vouchers for the same to V. A. McBee, Treasurer of the W. C. & R. R. Co. on its Western Division, who has incorporated the same in his accounts. The sum not disbursed was retained as a “quasi” trust fund, to meet few debts, about which differences exist as to interest and other items—and which have not as yet been properly adjusted.

I subsequently received from Col. Cowan, as president, the further sum of ten thousand dollars to pay off other debts of the same character at this point. Of this sum I paid off bonds and interest thereon, due on the Western Division, to the amount of \$6,744.90 as per his statement of the vouchers returned to Mr. McBee, the treasurer—and also paid off as due on the Eastern Division, the sum of \$2,756.18, chargeable in the books of J. T. Alderman, Treasurer of the Eastern Division, leaving in my hands undisbursed a balance of \$498.92, subject to the action and call of the board.

All of which I certify to be true and correct.

[Signed,]

H. W. GUION,
Director.

Charlotte, Feb. 11th, 1870.

COUPON ACCOUNT.

R. H. Cowan, Esq., in account with Soutter & Co.

1869.		AMOUNT.	DAY.	INTEREST.	
July	1	To Company,	\$ 23,846	76	\$ 352 30
	2	“	1,960	75	28 57
	3	“	1,000	74	14 38
	6	“	4,080	71	56 32
	7	“	1,720	70	23 40
	8	“	200	69	2 68
	9	“	1,200	68	15 86
	10	“	880	67	11 46
	12	“	1,720	65	21 73
	13	“	1,640	64	20 32
	14	“	40	63	49
	17	“	400	60	4 66
	20	“	80	57	88
	31	“	400	46	3 57
Aug.	2	“	16,000	44	136 89
	13	“	40	33	25
Sept.	13	“	160	2	04
		Interest,	693 80		
			\$ 56,053 80		\$ 693 80

SOUTTER & CO., E. E.

NEW YORK, Sept. 15, 1869.

STATEMENT.

The cancelled notes which were submitted by me, as cash vouchers, in my returns to the committee, Feb. 26, to wit :		
One note dated March 25th, 1867,	\$ 60,000	
“ “ “ July 9th “	60,000	
“ “ “ August 3d, “	30,000	
“ “ “ “ 4th, “	30,000	
		\$ 180,000
Were negotiated at their respective dates, and paid respectively, as follows :		
One August 2d, 1869,	60,000	
“ “ 12th, “	60,000	
“ “ 12th, “	30,000	
“ “ 20th, “	30,000	
		180,000
The two notes of \$60,000 each were renewed by the substitution of other notes, to wit : the two enclosed notes, marked D. and E., which are to be filed with the original notes, and form part of the same vouchers.		
On the two notes of \$30,000 each, and on the above renewal notes, after maturity, there was granted an extension of time, up to the date of payment, without the substitution of other notes. These notes were paid in full at the dates above named, and it will be seen that they were outstanding against the company for a period of more than two (2) years.		
They were negotiated and applied as follows :		
Gross amount of notes as above,		180,000
Less by discount deducted,	30,000	
Less by commission for negotiation,	900	
		30,900
Leaving net amount of cash received from the negotiation,		
		149,100

STATEMENT—(CONTINUED.)

Which was applied as follows, to wit:			
Cash paid Treasurer as per his certificates herewith, and disbursed by him in general account,	\$	92,409	59
Cash paid three (3) notes given for "equipment" and negotiated by Burruss Bros., of Norfolk, Va., to wit: \$3,300, \$3,400 and \$3,300,		10,000	
Cash paid Keith & Kerchner, of Wilmington, for provisions, &c., given out to employees of the company, and deducted from pay rolls,		8,598	38
Cash paid Foote, Vibbard & Co., of New York, for materials furnished to shops,		2,488	50
Cash paid interest on the same,		60	80
Cash paid Company's proportion of interest on Wilmington Railway Bridge Company's bonds,		6,000	
Cash paid Robert Harvey, contractor, for graduation,		12,188	72
Cash paid Joseph Robinson, for piling and laying track at Riverside—in Y.,		2,329	33
Cash paid expenses of getting up and issuing 1st mortgage bonds, including stamps, \$3,800, and Attorney's fees, \$1,000,		6,172	75
Cash paid National Bank Note Company of N. Y., for engraving bonds,		2,142	24
Cash paid William L. Smith for notes of Bank of Commerce, Newbern, N. C., to pay debt due that bank contracted before the war, (part payment,)		2,262	87
Cash paid E. N. Hutchison for note negotiated by Burruss, Harrison & Co., for equipment,		1,500	
Cash charged to self, on account salary and traveling expenses,		2,946	79
			\$149,100

ROBT. H. COWAN.

WILMINGTON, N. C., March 7th, 1870.

STATE OF NORTH CAROLINA,
COUNTY OF NEW HANOVER.

Before Mr. John J. Conoly, Justice of Peace for New Hanover county, on this 7th day of March, A. D. 1870, appeared Robert H. Cowan, who in my presence subscribed the account hereunto attached; and thereupon, being by me duly sworn, maketh oath that the said account is correct to the best of his knowledge and belief, and that the payment as set forth therein, which were made him personally were every dollar paid (as receipted for) for the benefit of the railroad company of which he was the President, and that there were no draw-backs in the shape of fees or commissions, or otherwise, for his personal benefit or the benefit of any other person whatever; and having a constant supervision of the books of the company, and a full knowledge of its receipts and liabilities, he believes this to be true of all the payments set forth in the said account.

He further maketh oath that the sum is true of all the vouchers which were submitted by him to the Investigating Committee on the 26th day of February last—that of those which were paid by him personally he knows, and of all others he believes that they were paid at their full value as set forth on the face of each of them.

JOHN J. CONOLY, J. P.

STATE OF NORTH CAROLINA,
COUNTY OF NEW HANOVER.

I hereby certify that ninety-two thousand four hundred and nine and 59-100 dollars, (\$92,409 59,) was received from R. H. Cowan, President, as stated in the foregoing return and disbursed on this Division in the general account, between the 23rd of March and the 1st of September, 1867, except the

sum of ten thousand dollars, (\$10,000,) which was sent to V. A. McBee, by order of the President and charged to the Western Division; and that proper vouchers for the disbursement of this fund, in connection with receipts from other sources, are on file in this office, and have been exhibited to, and examined by the auditing committee appointed by the stockholders for the fiscal year ending September 1st, 1867.

J. T. ALDERMAN.

Wilmington, N. C., March 7th, 1870.

The above was duly sworn and subscribed to before me this 7th March, A. D. 1870, at Wilmington, N. C.

JOHN J. CONOLY, J. P.

RALEIGH, February 26, 1870.

J. T. Alderman states that he was Treasurer of the Eastern Division of the Wilmington, Charlotte & Rutherford Railroad Company until July, 1869, since which time he has been Assistant Treasurer thereof. That as Treasurer and Agent for the President, R. H. Cowan, he received from the Treasurer of the State, June 1st, 1869, one thousand bonds as charged in his statement. That he knows nothing of their sale except from the accounts rendered by Soutter & Co., to the railroad company, and filed with the deposition of Mr. Cowan with the committee. These accounts are part of the papers belonging to the Treasurer's office of said company, and this deponent believes them to be correct. Their proceeds have been accounted for to said company, and as this deponent believes have been applied by its officers *bona fide* to its purposes, [as its books show in detail] in construction and reconstruction, and payment of ante war debts. The deponent also states that the papers accompanying Mr. Cowan's deposition purporting to be signed by deponent in "B" and "C," were certified by him and that the certificates are true. He knows nothing of any disposal of the bonds issued to the

company, or of their proceeds, or of any part of either of them, other than appears in the statements submitted by Mr. Cowan and the vouchers which support those statements, nor has he any reason to believe there has been any such. He adds that he knows nothing in reference to State bonds issued to other railroad companies, either as regards their disposal, or the disposal of their proceeds that will aid the Committee in its investigations. He has looked over the statement of the Treasurer to this Committee for the purpose of refreshing his memory upon this point, but without effect. The above statement applies to the four hundred and thirty bonds charged to Mr. Cowan, March 19th, 1866, as well as to the other thousand except that a portion of those were sold by Mr. Cowan himself as appears by exhibits filed before the Committee by him.

J. T. ALDERMAN.

RALEIGH, N. C., Feb. 26th, 1870.

Before the undersigned, upon this day above written, came J. T. Alderman and made oath that the contents of the above statements are true.

THOMAS SETTLE,
A. J. S. C.

RALEIGH, February 28th, 1870.

WM. SLOAN states that he is President of the Wilmington, Charlotte and Rutherford Railroad Company, having been elected on the 29th of July, 1869, and re-elected in October, 1869.

Question 1. We find you charged by the Treasurer of the State with five hundred State bonds, numbered one thousand and one to fifteen hundred, and dated April 1st, 1869, and received by you October 13th, 1869; are any of these bonds still in your possession or in that of others, subject to your order, if so, how many, give their numbers, dates and amounts?

Answer. Of these bonds three hundred are on deposit with the banking house of Thomas R. Tate and Thomas W. Dewey, in Charlotte, N. C., are unencumbered and subject to my order. The other two hundred are part of four hundred deposited in pledge with Henry Clews & Co., of New York. None of these have ever been sold or offered for sale. On the 14th of October, 1869, I deposited the above five hundred for safe keeping with Tate & Dewey, and on the 20th of October, borrowed of them twenty thousand dollars, with the agreement that they should hold a part of the bonds as collaterals. The money was obtained and used to pay contractors and employees in the construction and repair of the road. On the 29th of November, I received money from Henry Clews & Co., with which I paid Tate & Dewey the sum above mentioned, and released the bonds pledged. The amount obtained from Clews & Co. was twenty-five thousand dollars, and for that I deposited with them as collateral the two hundred bonds mentioned above. No hypothecation of the said bonds, except as above, has been made by me, nor have I or any one else, with my consent or to my knowledge or belief, made any use for the purpose of raising money of the above five hundred bonds, or any part of them. So much of the twenty-five thousand dollars as was not paid to Tate & Dewey as above, was deposited with them, and, in great part, has been applied as was the \$20,000 first obtained; what of it has not been so applied is still upon deposit with Tate & Dewey.

Ques. 2. Please to look over the statement made out by the Treasurer of the State for the use of this commission, and say whether you are responsible for any other, and which of the bonds therein charged to other persons than yourself?

Ans. I have done so, and state that I am responsible for the fifteen hundred of one thousand dollars each, dated April 1st, 1869, delivered to Calvin J. Cowles, Treasurer of the Company, on December 17th, 1869, he having received them as my agent, and having delivered them to me at Greensboro' on the same or the next day, I believe.

Ques. 3. Are any of these bonds still in your possession, or in that of others subject to your order? If so, how many, give their numbers, dates and amounts?

Ans. None of these bonds have been sold or offered for sale; all of them have been and are still hypothecated. I deposited the fifteen hundred with Henry Clews & Co., December 21st, 1869, for safe keeping; the October coupons had been clipped and left with the State Treasurer at the time the bonds were issued; of these bonds two hundred were deposited with the New York Guaranty and Indemnity Company as collateral for the loan of sixty thousand dollars on the 10th of January, 1870, to pay the January semi-annual interest on fourteen hundred first mortgage bonds of said railroad company; this interest was paid through Soutter & Co., and the negotiation for the sixty thousand dollars was also through them; the amount required for interest at 8 per cent. was fifty-six thousand dollars, and a balance upon the sixty thousand is still in their hands. One hundred other of these bonds are now deposited in the Park Bank of New York as collateral for fifteen thousand dollars borrowed December 5th, 1869, of the First National Bank of Wilmington, N. C., to pay a construction debt then due to Robt. Harvey, a contractor on the road. This money was borrowed at thirty days, and upon applying for an extension, it was allowed upon condition that a deposit was made as above. This was done on January 5th, 1870; since then five thousand of the fifteen thousand dollars have been paid to the Bank at Wilmington, N. C., and so the bonds are now held as collateral for ten thousand dollars.

One thousand other of these bonds were deposited January 20th, 1870, with John F. Pickerell, of New York, as collateral for the loan of ninety thousand dollars at that date. Of this money, sixty thousand dollars was needed to pay to the New York Ware House and Security Company for a debt created by Robert H. Cowan, my predecessor, as President, and for which said creditor held two hundred of the first mortgage bonds of said company as collateral, which last mentioned

bonds are now on deposit, unencumbered, and subject to my order, in the National Bank of the Republic of New York. The debt last mentioned, at the time of said payment, amounted to one hundred and fifty thousand dollars and interest, for which five hundred first mortgage bonds were held as collateral. Before making payment, I was notified that I must pay it all when it fell due, and that I could not renew. That which was paid fell due on the 20th of January, 1870; the other part became payable on the 9th and 12th of February, 1870. After making payment as above, I was told that I might renew the remaining \$90,000, and did so by using a part of the remaining thirty thousand dollars borrowed from Pickerell to pay interest thereupon. So much of this ninety thousand dollars as is not above accounted for has been used in the construction of the Road. I will state as my reason for borrowing \$90,000 from Pickerell as above, that I hoped to make an advantageous use of so much of it as was not required to pay the sixty thousand dollars and interest, in relieving the Company from the burdens incurred in the recent transaction through Soutter & Co. with the Guaranty and Indemnity Company, of the details of which I thought we had reason to complain, and had submitted to only under a sort of coercion. However, I failed to do this, and in the event used the money as above. The remaining two hundred of the fifteen hundred bonds above, are on deposit with Henry Clews & Co., and are held by them, by agreement, as collateral for a running account between them and the company, which including the \$25,000 also secured, as above, amounted, on January 5th last, to twenty-seven thousand four hundred and two dollars and forty-three cents, and at present is the same with the addition of interest.

The above contains a true account of all that has been done by myself or others, to the best of my knowledge, information, or belief, with the above bonds, or with any proceeds from them in any way arising. Of the two thousand bonds for which, as above, I am responsible, three hundred are unencum-

bered and subject to my order; the other seventeen hundred are hypothecated as above to various parties, for an aggregate amount of one hundred and eighty-seven thousand four hundred and forty-two dollars and forty-two cents, and some accruing interest. If the Commission shall ask for an itemized account of the disbursement of the proceeds, it will be furnished at any time; the notice to appear before the Commission was received by me only upon Saturday evening, the 25th inst., and in this city.

Ques. 4. Please to look over the Treasurer's statement again and inform the Commission what, if any thing, you may know in regard to the disposal of any other of the State bonds charged thereupon, or of their proceeds, including in such information what, if anything, you may have heard said by any person, and whom, as to his transactions with said bonds or proceeds? You are aware of the purpose for which this Commission was raised; give us any information which you may have that may aid us in our investigation?

Ans. I have looked over the statement, and say that I know nothing, of my own knowledge, except that Mr. A. J. Jones, President of the Western Railroad Company, told me during the fall or winter that he still had all of his bonds except fifty-five or sixty; also, that having successfully opposed the passage of the bill making an appropriation for the Atlantic, Tennessee & Ohio Railroad Company, upon the ground that its guage (five feet) differed from the other North Carolina roads. After the defeat of the bill I was approached by Mr. Geo. W. Swepson, and offered by him forty of the bonds that might be issued for said company, for a withdrawal of my opposition. I declined to do so, stating that the guage was my main objection; he thereupon offered to conform the guage to that usual in North Carolina, and also to give the forty bonds, if I would withdraw objection. I told him that if he would conform the guage to the guage of the North Carolina Railroad Company I would take twenty of the bonds; thereupon the bill was passed. During the last fall Mr. Swep-

son handed me twenty of such bonds; they were worthless then as they could not be placed on the stock-board, and are worthless still. I have them yet in my possession. I do not know from whom Mr. Swepson procured them; I know by general report of the suit brought by Kehoe against that company but have heard nothing special in regard thereto.

WM. SLOAN.

Acknowledged and sworn to upon this 28th day of February, 1870, before the undersigned.

THOS. BRAGG, *Chairman*.

RALEIGH, March 2d, 1870.

The examination of CALVIN J. COWLES, who says:

I am Treasurer and Secretary of the Wilmington, Charlotte and Rutherford Railroad Company. I was elected on the 1st September, 1869. By virtue of a resolution adopted at the time of my election, I was not to enter upon the discharge of my duties until from and after the ensuing annual meeting of the stockholders which was held 20th October, 1869, at which time I entered upon the discharge of my duties.

I have referred to the statement of the State Treasurer, now shown to me, and find that I am correctly charged as having received of him 1500 bonds of the State, each for \$1000, number from 1501 to 3000 inclusive, dated April 1st, 1869, and delivered Dec. 17th, 1869. The first coupons due, were cut off and left with the Treasurer, in payment of accrued interest. These were all the bonds received by me.

Ques. 1. What disposition was made of the said bonds?

Ans. On the evening of the same day I delivered them at Greensboro', to Dr. William Sloan, President of the Company, who said he was on his way to New York. I have no personal knowledge of what was subsequently done with said bonds. I have never received any proceeds or money arising from them in any way.

Ques. 2. Have any vouchers been handed over to you by Dr. Sloan or any one else for disbursement of moneys arising from sales of bonds, or on loans made upon their pledge or deposit?

Ans. None whatever. If any money was raised in that way I am ignorant how and for what purpose, if any, it was disbursed. I heard the president say he had deposited bonds to bolster the credit of the company in regard to some first mortgage bonds of the company which had been pledged in New York by Mr. Cowan, former president of the company.

Ques. 3. Have you used any State bonds or proceeds of any State bonds, or do you know or have you any information, and what, of any such bonds or proceeds, having been used by any one, to procure or assist in procuring the passage of any bill or bills through the Legislature or Convention of this State? If so, state all the facts fully.

Ans. I never used any such bonds or their proceeds myself, nor do I know of their being so used by any others. I heard Dr. William Sloan say that he had some of the bonds of the Atlantic, Tennessee and Ohio Railroad Company. He said in substance as follows: There was pending in the Legislature a bill as to that company, to loan them ten millions of dollars, and to remove restrictions as to the guage of the road, which he had opposed; that he was approached at his room at the Yarrowborough House by Geo. W. Swepson, who offered him some of the bonds of that company if he would withdraw his opposition to the bill. He agreed to do so if the provision taking off the restriction as to the guage was stricken from the bill. He withdrew his opposition, and I think he said five bonds which had been issued to the company, were subsequently given to him in New York. I don't recollect by whom, if he stated it.

CALVIN J. COWLES.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman.*

WILLIAMSTON AND TARBORO' RAILROAD COMPANY.

Examination of JESSE R. SRUBBS, President of the Williamston and Tarboro' Railroad Company, taken before us in the city of Raleigh, on the 19th day of February, A. D. 1870, he being first sworn according to law.

Question 1. Are you President of the Williamston and Tarboro' Railroad Company?

Answer. I am.

Ques. 2. Have you ever received any bonds issued by the State for the benefit and use of the said company, and if so, how many, of whom and when?

Ans. On or about the 11th of November, 1868, I received for the use of the said company, three hundred bonds of the State of North Carolina, of the denomination of one thousand dollars each, of the Treasurer of the State.

Ques. 3. Are any of the said bonds still in your possession, or that of any other person for you or the company of which you are President?

Ans. None of them are in my possession or in that of any other person for me or for said Company.

Ques. 4. How were the said bonds disposed of—when, where, to whom, and at what price or prices?

Ans. On or about the 14th November, 1868, thirty-eight of the said bonds were sold by me to John F. Pickerell, of the city of New York, for the sum of twenty-five thousand dollars in cash.

The said Pickerell had taken of the Company a contract to build and complete their Railroad in all respects, excepting the rolling stock. The contract was made about the 3d of November, 1868. The residue of the said bonds were on deposit by me, I think, in the Continental bank of the city of New York, and were two hundred and sixty-two in number.

Shortly thereafter a question was made as to the validity of

certain State bonds issued on account of the Chatham Railroad Company, and I was informed that the Board of Brokers in New York had declared certain bonds of the State, those of my company included, not a good delivery. And in consequence of the decision of the Supreme Court of this State, declaring the bonds issued for the Chatham Railroad Company invalid, and the bonds issued to the Williamston and Tarboro' Railroad Company being supposed to be liable to objection, the General Assembly passed an act authorizing an issue of the like amount of bonds on account of the Williamston and Tarboro' Railroad Company upon the return to the treasury of those already issued, as before stated by me. In pursuance of this act, I caused to be returned to the treasury the said two hundred and sixty-two bonds, and the like number and amount were received of the Treasurer in lieu thereof.

The said bonds were returned by Express, by my direction, and deposited in bank in the city of New York. About the latter part of April or 1st of May, 1869, I went to New York. I saw Mr. Pickerell, who told me that a like number and amount of North Carolina bonds, with those of my company, had, a few days before my arrival, been borrowed and been sold, and that, if I thought proper, I might adopt the sale and take the proceeds, and let my bonds go to replace those which had been borrowed. After considering the matter I concluded to do it.

The net amount realized upon the said sale amounted to one hundred and thirty-five thousand nine hundred and forty-eight dollars and forty-seven cents, (\$135,948 47.)

Ques. 5. Have you made any use, temporary or other, of any of the above bonds, by hypothecation or otherwise?

Ans. I made no other use of them, nor authorized any other than already stated by me.

Ques. 6. What disposition was made, if any, of the proceeds of the said sales of bonds?

Ans. The whole amount has been disbursed, and beside it, a large sum borrowed, for the expenses incurred in and about

the construction of the road, and the purchase of iron for the track of the road. Without reference to my books and the books of the company, I cannot now give an accurate detailed statement of the disbursements. I can do so, if required, after having access to the books, which are not now present. Among other expenditures made, I paid over one hundred thousand dollars for iron. The grading of the road is nearly complete, the engineer makes his estimates monthly, upon upon which 80 per cent. has been paid, the company retaining 20 per cent. as a guarantee for the completion of the contract—that is, I mean the payments for grading have been made up to the 1st of January, 1870. And, I think, about from twenty-five hundred to three thousand dollars have been paid for grading done in the month of January.

Ques. 7. The resolutions passed by the Senate are now read to *you*. Do you know anything further in connection with your own or any other railroad company, material for the purposes for which this commission has been constituted?

Ans. Not of my own knowledge.

J. R. STUBBS.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman*.

J. R. STUBBS, PRESIDENT, IN ACCOUNT CURRENT WITH THE WILLIAMSTON & TARBORO' R. R. CO.

		Dr.		1868.		Cr.
		\$				\$
1867.	11 To Cash received of former Treasurer,	100			By amount paid J. D. Biggs, Treasurer,	500
July	25 To amount received on notes of Spruill, Station,			Oct. 1	" " W. B. Campbell, in part account.	20
Nov.	G. B. Hassell,	200			" " W. G. Lewis, per receipt,	500
	To 5 per cent. on stock \$1,200,	60		Nov. 14	" " "	100
1868.	3 To John F. Pickercell, check, New York,	4,500		Nov. 29	" " "	750
Nov.	To cash of Pickercell,	5,500		Dec. 18	" " "	300
1869.	1 To 45 per cent. on stock \$1,200,	540		1869.	" " "	350
Nov.				Jan. 11	" " Jos. S. Staton,	516 80
1868.	1 To cash received balance of 38 bonds sold Pickercell,	15,000			By salary last year,	750
Nov.	14 To cash received for 262 bonds sold this day,			1868.	By amount paid K. P. Battle, Attorney,	250
1869.	3 To amount deposited to his credit in Bank of Ports-	135,948 47		Nov. 25	" " H. A. Brown,	5
May	13 To amount this day by Geo. W. Grice, Trustee,	27,257 10		Sep. 28	" " H. B. Short, for seal,	15
1870.	17 To amount of M. C. S. Cherry's note,	50		23	" " for freight, &c.,	1 57
Feb.	To amount of J. A. Manning's note,	10			" " Mahler, for seal,	10
	To amount of W. B. Mangum's note,	5			" " on sundry bills, hand hire, &c.,	16 83
	(These notes having been received of C. B. Hassell,			Nov.	" " expenses to Raleigh, for Directors to	12
	former Treasurer, 25th November, 1867, with the				execute mortgage,	25
	other charges of that day to constitute the \$255.)				" " Engrossing Clerk for copy, &c.,	9 75
				1869.	" " for registration of mortgage in	500
				Jan. 12	Martin and Edgcombe,	2,200
				Mar. 18	" " J. D. Biggs, Treasurer,	13 35
					" " W. G. Lewis, (Gurley's act.,)	10
					By error in note of Weathersby,	250
					" amount paid W. G. Lewis, as per receipt,	5
					" " G. B. Lipscomb, as per receipt,	1,000
					" " W. E. Anderson, check on First Na-	1,203 55
					tional Bank, Norfolk,	75
					2 By account rendered,	127,230 14
				Nov.	22 By cash paid Wm. H. Battle & Sons,	23 47
				May	" " Treasurer for Brown,	250
				Oct. 18	" " "	100
				Nov. 2	By salary to June, 1869,	3,000
					By checks to Treasurer this day,	1,203 55
					By cash paid T. A. Ray for damages on land,	75
				May 3	By John F. Pickercell's receipt for iron,	127,230 14
				July 30	By cash paid two drafts of Geo. W. Grice, dated June	8,051 86
					18, 1869, for freight on iron, &c.,	
				July 15	By cash paid P. B. Hawkins, on Engineers' estimates	4,355 22
					to July 1st,	

Aug. 20	By cash paid P. B. Hawkins on Engineers' estimates to August 1st,	4,952 55
Sept 24	By cash paid Phil. B. Hawkins on Engineers' estimates to September 1st,	7,140 15
Nov. 9	By cash paid Phil. B. Hawkins on Engineers' estimates to October 1st,	4,687 28
	By cash paid Phil. B. Hawkins on Engineers' estimates to November 1st,	5,023 08
Dec. 3	By cash paid Phil. B. Hawkins on Engineers' estimates to December 1st,	5,812 55
	By cash paid Coffield & Weathersby on John F. Pickerell's draft for cross-ties,	1,060
1868, Sept.	By cash paid Nichols & Gorman, Printers,	5
1869, Oct.	By cash paid John F. Pickerell on Grice's draft for expenses on iron, &c.,	896 15
1870, Jan. 25	By cash paid Tredegar Iron Company for chairs and spikes,	803 82
1869, Dec.	By cash paid Geo. W. Grice, interest on renewal of notes in Norfolk and Portsmouth,	509 94
1870, Jan. 15	By cash paid Geo. W. Grice, interest on renewal of notes in Norfolk and Portsmouth,	509 94
Feb. 8	By cash paid Geo. W. Grice, for duty on iron,	2,000
17	By cash paid R. Norfleet for land damages,	400
	By Coffield & Weathersby's note, dated June 1st, 1869, for cash loaned on cross-ties,	1,000
	By amount of the following notes passed to J. D. Biggs, Treasurer, viz: M. C. S. Cherry, \$50; J. A. Manning, \$10; W. B. Mangum, \$5, making	65

SECRETARY AND TREASURER'S OFFICE,
 WILLIAMSTON AND TARBORO' RAILROAD COMPANY.
 WILLIAMSTON, N. C., March 8th, 1870.

I, JOSEPH D. BIGGS, Secretary and Treasurer of the Williamston & Tarboro' R. R. Company, hereby certify that the foregoing is a true copy of the account of J. R. Stubbs, President of said Company, as appears on the books of my office and vouchers on file.

JOS. D. BIGGS, Secretary and Treasurer.

Sworn and subscribed before me, this 8th day of March, 1870.

JAS. M. SITERSON, Clerk Superior Court, Martin County.

JOS. D. BIGGS, TREASURER, IN ACCOUNT CURRENT WITH THE WILLIAMSTON & TARBORO' R. R. CO.

1868.	Dr.	Cr.	Rect. No.	1	5
	\$	\$			
Sept. 11	To amt. rec'd of Benben Mayo, 2 shares, 1st Inst.	10		2	76 25
	" " R. B. Salisbury, 2 " " "	10		3	17
Oct. 27	" " Stat. Whitehard, 2 " " "	10		4	27 75
	" " W. G. Lewis, 5 " " "	25		5	21 50
	" " N. M. Hammond, 1 " " "	5		6	34 48
Nov. 20	" " J. R. Stubbs, President,	500		7	3
Jan. 12	" " C. B. Hassell, former Treasurer,			8	300
	" " J. R. Lanier's draft, \$50; Hassell's	60 78		9	136 75
	" cash Gen. Stubbs' note, \$69; Hassell's	500		10	900
Mar. 18	" " rec'd of J. R. Stubbs, President,	2,300		11	100
May 8	" " " Edwin Peal, stockholder,	10		12	16 75
June 12	" " " J. R. Coffield, from stockholders,	195		13	23 84
				14	5 20
				15	7
					1,827 26
					\$ 3,525 78
1869.					
June 14	To amount to account due R. R. Co., this day as				
	per account submitted	\$ 1,826 26			
	To amt. rec'd of Ethal Bullock's installment,	5		1	100
	" " Mack Manning's " "	5		2	200
	" " John W. Nelson's " "	15		3	25
	" " Dennis Simmons' " "	10		4	1,203 16
	" " Arch. Staton's " "	25		5	10
17	" " Gen. Stubbs' Anderson draft on			6	51 75
	First National Bank, Norfolk,	1,000		7	150
Nov. 2	To amt't rec'd in checks from President,	1,203 55		8	75
	" " from President for Brown,	100		9	30
	shares instalments,			10	50
	" " W. G. Lewis, 47 per cent on 5	225		11	22 61
	(self.)			12	80
23	To amt rec'd of G. O. Robason, 50 per ct. on 1 share,	450		13	10
	" " " 45 " " 1 " "	50		14	100
	" " " 45 " " 1 " "	45		15	90
Dec. 20	" " " Staton Everitt, 45 " " 1 " "	45		16	4 50
1870.				17	13 09
Jan. 6	To amount received of C. B. Hassell, 45 per cent. on			18	300
	12 shares,	540		19	65
				20	100

Jan.	Nov.	2	To cash paid H. A. Brown, Asst. Eng.,	Rect. No.	21	\$	10 55
6 To am't received of C. B. Hassell's note payable 1st February, balance of stock,			J. D. Simmons,	"	22		10 50
17 To cash received of J. E. Moore, Attorney,			W. G. Lewis, Chief Eng.,	"	23		825
21 To cash rec'd of W. Crawford, 45 per ct. on 1 share,			Pay Roll for Sept., 1869,	"	24		65
17 To cash rec'd of J. E. Moore, Attorney,			W. G. Lewis, purchase of lot,	"	25		432 50
			H. A. Brown, Asst. Eng.,	"	26		100
			To my salary this year,	"	27		500
			By cash paid H. A. Brown, Asst. Eng.,	"	28		50
			H. A. Brown, order C. B. Hassell,	"	29		12 53
			" " " J. E. Moore,	"	30		50
			C. B. Hassell,	"	31		10
			H. A. Brown, ord. H. D. Robason,	"	32		12 66
			ord. to W. G. Lewis,	"	33		49 38
			H. D. Robason, Cameron's order	"	34		10 50
			for survey,	"	35		4 70
			Nancy Harrell, damages,	"	36		75
			H. A. Brown, Asst. Eng.,	"	37		25
			ord. W. A. Johnson,	"	38		20
			" " C. B. Hassell,	"	39		3 70
			" " John Smith,	"	40		50
			W. G. Lewis, Chief Eng.,	"	41		600
			R. G. Pitman, maps,	"	42		180
			W. G. Lewis, acct. rendered,	"	43		68 03
			Pay Roll for January,	"	44		65
			" " December, 1869,	"	45		72
			" " November, 1869,	"	46		80
			H. A. Brown, Asst. Eng.,	"	47		100
			C. B. Hassell, account,	"	48		2 75
			Pay Roll for June, 1869,	"	49		50 42
			Shaw & McCabe, 3d July, 1869,	"	50		30 38
			W. G. Lewis, acct. 13 July, 1869,	"	51		68 50
			" " on salary account,	"	52		200
			B. F. Hawkins, Agt. of Pickrell,	"	53		100
			Contractor,	"	54		995 60
			To balance carried to account,	"	55		
						\$	7,639 81
						\$	995 60
						\$	34 48
Mar.			To balance brought to acct. due R. R. Company,				
			To error in settlement with former Treasurer,				

SECRETARY AND TREASURER'S OFFICE,
WILLIAMSTON & TARBORO' R. R. Co.,
WILLIAMSTON, N. C., March 8, 1868.

I, Jos. D. BIGGS, Secretary and Treasurer of the Williamston and Tarboro' Railroad Company, hereby certify that the foregoing is a true copy of my account as Treasurer of said Company, as appears on the books of my office and vouchers on file therein.

JOS. D. BIGGS,
Secretary and Treasurer.

Sworn and subscribed before me this 8th day of March, 1870.

JAS. M. SITEERSON,
Clerk Superior Court, Martin County.

C. B. HASSEL, TREASURER, IN ACCOUNT WITH THE

		Dr.
1867.		
Feb. 4.	To 5 per cent. on \$1,000, Sam. Rogers' subscription,	\$ 50
13	To 5 per cent. on \$1,000, Jos. D. Biggs' "	50
	To 5 per cent. on \$1,000, C. B. Hassell's "	50
	To 5 per cent. on \$500, J. R. Rogers' "	25
April 29	To amount received of D. W. Bagley, Commissioner,	860
May 17	To 5 per cent. on 83 shares, collected by Commissioners Kader Biggs & Co., Norfolk, Va.,	415
25	To 5 per cent. on 46 shares, collected by Commissioner Robert C. Brown, Tarboro', N. C.,	230
July 31	To amount received of D. W. Bagley, Commissioner, in notes and cash, as of 29th April,	325
		\$ 2,005
1868.		
June 26	To balance due this day brought down to account,	\$ 155 36
	Of which there is cash,	\$ 45 36
	Drafts and notes,	110
		\$ 155 36

C. B. HASSELL,
Treasurer.

WILLIAMSTON & TARBORO' RAILROAD COMPANY.

			CR.
1867.			
July	11	By cash paid for account book,	\$ 1 50
		" " J. R. Stubbs, Pres. as per receipt,	100
Aug.	19	" " J. B. Coffield, as per receipt,	31 49
		" " " " " "	60
	23	" " W. G. Lewis, Chief Engineer, as per receipt,	200
	24	" " " " " "	100
		" " " " " "	40
	26	" " John A. Manning,	20
Sept.	2	" " Joel Ward,	5
	7	" " Jeremiah Manning,	13 50
	12	" " W. G. Lewis, Chief Engineer,	500
Oct.	15	" " " " " "	450
	17	" " Wm. Biggs, for printing,	60 65
Nov.	25	By amt. " J. R. Stubbs, President,	9 50
1868.			
Jan.	6	" " Dennis Rawls,	255
		" " H. D. Robason, 15th Oct. 1867,	2
June	26	" to balance carried to account,	155 36
			\$ 2,005

SECRETARY AND TREASURER'S OFFICE,

WILLIAMSTON & TARBORO' R. R. Co.,

Williamston, N. C., March 8, 1870.

I, Jos. D. Biggs, Secretary and Treasurer of the Williamston & Tarboro' Railroad Company, hereby certify that the foregoing is a true copy of the account of C. B. Hassell, former Treasurer of said Company as appears on the books of my office.

JOS. D. BIGGS,

Secretary and Treasurer.

Sworn and subscribed before me this 8th March, 1870.

JAS. M. SITERSON,

Clerk Superior Court.

NORTH WESTERN N. C. R. R. COMPANY.

Examination of EDWARD BELO, President of the North Western North Carolina Railroad Company, before us in the city of Raleigh, on the 19th day of February, A. D. 1870, he being first sworn according to law:

Question. Are you President of the North Western North Carolina Railroad Company?

Answer. I am.

Ques. Have you ever received any bonds issued by the State for the benefit and use of the said company, and if so, how many and when?

Ans. I received one thousand and eighty bonds, of the face value of one thousand dollars each, about the middle of October, 1869, received them in Raleigh, from Mr. Jenkins, at the Treasurer's office for the company of which I am President.

Ques. Are these bonds still in your possession?

Ans. I have the bonds in my possession at the office of the State Treasurer deposited with him subject to my order.

Ques. Have any of the coupons been cut off the bonds?

Ans. I cut off all of the coupons dated on the first of October, 1869, and left them with the Treasurer in payment of the interest then due; otherwise the bonds are intact.

Ques. Have you ever made any temporary use by hypothecation or otherwise of these bonds?

Ans. I have not. I have not sold or contracted to sell any of them.

Ques. State your connection with the bonds since they went into your possession?

Ans. When I received the bonds they were taken to Salem, where I reside, and I deposited them specially in the National Bank there for safe keeping, subject to the order of the Treasurer of the company. They were worth then, to the best of my recollection, about thirty-three cents in the dollar. The price of them being too low, no disposition was made of them.

On the 12th of February, I received an order from the Governor to return them to the State Treasurer in Raleigh. I deposited them with him on yesterday. They are there for safe keeping, without prejudice to the rights of the company, or the State, as I consider it.

Ques. Do you know anything further in connection with the objects for which this committee has been constituted, either as regards your own company or any other?

Ans. I do not.

E. BELO.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman.*

CHATHAM RAILROAD COMPANY.

RALEIGH, March 4th, 1870.

Examination of WILLIAM J. HAWKINS, who says :

I am President of the Chatham Railroad Company, and as such received of the State Treasurer thirty-two hundred State bonds of \$1,000 each, that is to say, 1,200 numbered one to 1,200 inclusive, dated 1st of April, 1868, delivered 20th August, 1868. And 2,000, numbered 1,201 to 3,200 inclusive, dated the 1st October, 1868, and delivered 19th October, 1868.

Ques. 1. How have the above bonds been disposed of?

Ans. The 1,200 first named have all been sold. Of the 2,000, sixteen hundred and fifty are on special deposit in the Raleigh National Bank, 48 of them hypothecated by J. F. Pickerell & Co., on account of iron for the road, and the remainder 302 in number, have been sold.

Ques. 2. To whom were the said bonds sold, by whom, when, and at what price, and the amount of such sale?

Ans. On the 21st December, 1868, sold by J. F. Pickerell & Co., 387 bonds at 63 ; netting \$238,005. At same time or about, J. F. Pickerell took one thousand at 60, amounting to \$600,000. One hundred sold to General Littlefield at 60, and his draft for the amount was accepted by J. F. Pickerell & Co.

On May 29th, 1869, 15 were sold by the State National Bank, Raleigh, at 54—62, netting \$8,191.74, making in all sold 1,502, netting in the aggregate, \$906,196.74.

I have received no interest from the State, but have received by way of interest and premiums on funds raised from the sales, \$29,440.55, making a total of \$935,637.29.

Ques. 3. Were any of the said bonds hypothecated to raise money, if so, when, to whom, for what amount and what disposition was made of the fund arising therefrom?

Ans. About October, 1868, I hypothecated 225 bonds through J. F. Pickerell & Co., of New York, our bankers

there. I don't know with whom they hypothecated them on which was raised \$100,000, which was paid in December following, with proceeds of sales of bonds. I have already said that 48 bonds were hypothecated at Pickerell & Co., for iron. I can't tell who hold the bonds. The proceeds arising from hypothecation as above were applied to engineering and construction accounts chiefly.

Ques. 4. What use has been made or is being made of the proceeds arising from sale of bonds?

Ans. We have paid out on account of construction, materials, equipments, engineering, and pay of officers and employees, and incidental expenses, \$685,569.47, leaving a balance on hand of \$250,067.82, consisting as follows: 200 U. S. bonds, 5-20's, date '67, cost \$222,000, which are deposited in the Raleigh National banks. Deposited in the Raleigh National and State National banks, \$28,067.82. I will procure certificates accordingly and exhibit them, not being able now to state the amounts precisely in each of the said banks.

We have completed 30 miles of track, equipped it with 2 first class locomotives, 28 cars, besides hand and section cars; have on hand 16 miles of iron paid for and not laid down, with chairs, spikes and cross ties for several miles of track—I think about 4 miles. 3 depots and water tanks complete, with wood and material for a year's supply. I will add, however, that portions of the grading between Carey and Haw river had been partially graded during and before I was President. We are now running a daily train from Raleigh to Haw river, near Haywood.

I will cause a verified statement of the receipts and disbursements, as to which I have testified, to be made out by the treasurer of the company and filed with the Commission.

Ques. 5. You say that you received the draft of M. S. Littlefield for \$60,000, accepted by Pickerell & Co. Has that draft been paid? if so, how and when?

Ans. I telegraphed to the house of Pickerell & Co. in March, 1869, to know whether the draft had been paid. I

received in reply, date 8th March, 1869, a dispatch from John F. Pickerell, a member of the house, dated on that day at Washington, D. C., and now shown to the commission, stating that the check had been paid on presentation, and the amount of sixty thousand dollars placed to the credit of the company. On or about the 23d of June, 1869, Pickerell & Co., rendered their account to me, and in which the Company had a credit for the said sum thus paid.

Ques. 6. Have you derived, or are you, or do you expect to derive any profit, advantage or benefit, directly or indirectly for yourself or any one else, from the use, sale, hypothecation or otherwise, of the said bonds or any of them? If so, state what, when, and in what way.

Ans. Except as a stockholder in the company, and in common with other stockholders in the same, I have neither derived, am to derive, or expect to derive, for myself or any one else, any profit or advantage whatever, from the sale or use of the said bonds or their proceeds in any manner whatever.

Ques. 7. Have any funds, arising from the sale or otherwise of said bonds, in any manner been used by you or any one else in or about you, or their private transactions or business of any kind? If so, how much, how and when?

Ans. No such funds have been so used by me in such way, or by any one else by my consent or knowledge, in such manner or for such purposes.

Ques. 8. Have you used any State bonds issued since 1st May, 1865, or the proceeds of any such State bonds, or do you know, or have you any information and what, of any such bonds or proceeds having been used by any one to procure or assist in procuring the passage of any bill or bills through the Legislature or Convention of this State? If so, state all the facts fully.

Ans. I let General Littlefield have one hundred bonds of those appropriated (2,000) by the Legislature for the Chatham Road at 60 cents in the dollar, and on 90 days time, taking his draft on New York for the amount, which was accepted by

J. F. Pickerell & Co., and paid as above stated. The sale was made after the passage of the bill, and in consideration of services rendered in getting the bill through the Legislature, I let him have the bonds at that price, it being from 3 to 5 per cent. less than North Carolina bonds were then quoted in the New York market.

I have no information, except from general report, of any such bonds or the proceeds thereof having been used for the purposes stated in the question by any others.

W. J. HAWKINS.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman.*

STATEMENT OF THE CHATHAM RAILROAD COMPANY, SHOWING
THE AMOUNT RECEIVED FROM SALE OF BONDS OF THE STATE
OF NORTH CAROLINA, AND HOW APPLIED.

Received from sale of 1,502 N. C. State bonds,	\$	906,196	74
Received interest on United States bonds, including premium,		28,580	55
Received premium on sale U. S. bonds,		860	
Amount,	\$	935,637	29
Ex. on account Construction,	\$611,000		
“ “ “ Engineering, &c.,	18,906	47	
“ “ “ Miscellaneous,	9,950	27	
“ “ “ Freight on iron,	13,778	24	
“ “ “ Salaries,	12,024	66	
“ “ “ Expenses,	3,777	80	
“ “ “ Equipment,	4,470	40	
“ “ “ Land dam'ges, &c.,	3,789	75	
“ “ “ Interest,	4,533	33	
“ “ “ Old Debts,	728	55	
“ “ “ Attorney's fees,	2,510		
“ “ “ Stock killed,	55		
“ “ “ Depots,	45		
		685,569	47
Balance cash on hand, Feb. 28th, 1870,	\$	250,067	82
As exhibited to investigation Committee, consisting of cer. of deposit of Raleigh Nat. Bank for \$200,000 U. S. bonds, 5-20's at 1-11,	\$222,000		
Ditto for cash on deposit,	16,462	69	
Cer. of deposit of State Nat. Bank, for cash,	11,605	33	
		\$	250,067 82

W. W. VASS,
Treasurer.

RALEIGH, March 5th, 1870.

WESTERN RAILROAD COMPANY.

RALEIGH, March 2d, 1870.

Examination of A. J. JONES, who says:

That he is President of the Western Railroad Company, and has been since the 5th of April, 1869.

I have examined the statement by the Treasurer of the State, furnished to the Committee, and now shown to me.

Between the 15th and 25th of June, 1869, I received from the Treasurer 1,320 State bonds, each for the sum of \$1,000, dated 1st April, 1869. There was an appropriation to said company of 1,500 bonds, special tax. By the charter, 180 of the bonds were to be left, and were left, in the treasury, according to the provisions of the act. Bonds received numbered from 501 to 1,820, inclusive.

Ques. 1. Have you made any disposition of the said bonds or any part of them—if so, what?

Ans. I sold fifty-five of them.

Ques. 2. To whom were they sold—upon what terms and where—and by whom?

Ans. They were sold regularly at the Board of Brokers in New York. I don't know the purchasers. Five were sold at 45½; one at 46½; fourteen at 51; twenty at 40; ten at 39¾, and five at 48.

Of the above, fourteen bonds were sold on the 13th August, 1869, by Greenleaf, Norris & Co., bankers of New York; five on the 1st Aug., 1869, by John F. Pickerell, New York; one by same, on same day, as appears from his account sales; five by the same on the 5th July, 1869; twenty bonds, 1st October, 1869, by Criss & Co., of New York; and ten bonds on same day by same parties.

The above gross sales, in the aggregate, amount to \$24,255. From this amount was deducted, according to what I understood to be the rule of the Brokers' Board, seven and one-half per cent. upon the face of each bond sold, and one-eighth of

one per cent. of the face of each bond for commissions. The net sales received by me upon said bonds amounted to \$20,893.13.

Ques. 3. What use has been or is being made of the money arising from the sale of said bonds?

Ans. A part of it I have paid out for surveys and other expenses on the road. A part of it I have yet on hand. I am not able to state what amounts I have paid out or what amount is on hand and not disbursed. The funds not disbursed are in the hands of Jones & Lutterloh, bankers, Fayetteville, North Carolina, subject to my order. They were placed there by me soon after the last sales in New York.

Ques. 4. Have you any vouchers for the disbursements made by you—if so, will you produce and file them?

Ans. I have no vouchers—they are in the hands of the Treasurer of the company, J. H. Davis. My course of business has been this: I pay no claims and take no vouchers in person, with some exceptions which I will state, but when claims are due and to be paid, I give checks for that purpose to the Treasurer, who pays the claims and takes vouchers. This is done after the claims are audited by the Auditing Committee or ordered to be paid.

Ques. 5. Do you keep a blank book showing the state of your account with Jones & Lutterloh—if so, are you able to prouduce it?

Ans. I do, but I have it not here with me. It is in the railroad office at Fayetteville, and I can produce it.

I here produce two receipts for sums expended by me, one from Kemp P. Battle, Esq., for \$100, paid 2d September, 1869, for professional services for the company; the other from Hon. D. G. Fowle, for \$500, paid 11th of August, 1869, for professional services to me in New York, for the company, as to the bonds of the company and touching the effect of the decision of the Supreme Court of this State, in the case of the University Railroad bonds and the effect thereof as to the special tax bonds.

Ques. 6. Has any disposition and what, been made of coupons upon said bonds, or any of them ?

Ans. No coupons were cut off the bonds sold. I cut off the coupons from the other 1,265 bonds, that is one coupon from each bond, due 1st October, 1869. I deposited the coupons with Herry Clews & Co., of New York. The Treasurer of the State paid to them \$30,300 in part of the coupons deposited, and that sum was paid to me by Clews & Co., I think, between the 1st and 10th of January, 1870. There remained seven thousand six hundred and fifty dollars of coupons unpaid, which were returned to me. I have the coupons here in Raleigh, in my possession ; I can produce them if required, they are not encumbered in any way.

Ques. 7. What disposition was made, if any, of the sum of money paid for coupons, as stated in your last answer ?

Ans. I have the money deposited with Jones & Lutterloh, bankers in Fayetteville ; no part of it has been used ; it stands to my credit as President of the Western Railroad Company. I have no receipt or certificate, but it is on my bank book, which, as I have said, is in Fayetteville.

Ques. 8. Where are the bonds, 1,265 in number, which you say have not been sold ?

Ans. L. P. Payne & Co., of New York, hold, subject to my call, 691 bonds of the State, for which I have their certificate, dated Nov. 7th, 1869 ; Utley & Dougherty, of New York, hold, subject to my order, 562 bonds, as per their receipt, Nov. 9th, 1869 ; and I have 12 bonds in my own possession. The 12 are specially deposited with Jones & Lutterloh, of Fayetteville, in their banking house. The bonds above named are not hypothecated or encumbered in any way. The receipts taken for the bonds deposited in New York were shown to the Commission, and copies of them taken and filed. The bonds were deposited at the date of the receipts, or perhaps a few days before.

Ques. 9. Have any of the said bonds been used at any time by hypothecation or otherwise to raise money, if so, what part

of them, how much money was raised, at what rates and when, and what has been done with the money?

Ans. I think some of them were hypothecated, the number I do not remember, but a good many of them; I do not know how much money was raised by such hypothecation; I don't know at what rates. This was in August or September, 1869; and the money raised by hypothecation was used to redeem them.

Ques. 10. By whom were they hypothecated, when and to whom?

Ans. It was done by Utley & Dougherty, of New York, by authority, I think, some time in August or September last. I don't know with whom the bonds were hypothecated, or what sum was raised upon them. The money never came to my hands. It remained with them until I had a final settlement with them and got their receipts above referred to.

Ques. 11. Have any of them ever been sold and re-purchased?

Ans. I know none were sold and then re-purchased by myself or by my order; but I cannot say whether they sold them and then re-purchased them or not. Up to the time I got the receipts, the house of Utley & Dougherty held all the bonds. I concluded then to divide them, and deposit a part of them with L. P. Bayne & Co., who had not before had any of them, or used or hypothecated them.

Ques. 12. Have you the numbers of said bonds, or the means of giving them?

Ans. I have not either.

Ques. 13. Do you know whether they are the same that you received from the Treasurer, and which were deposited with Utley & Dougherty, or other bonds substituted in place of those first deposited by you?

Ans. I do not know whether they are all the same, or any, or what part of them.

Ques. 14. Had not the price of bonds fallen between the times when you say part of these bonds were hypothecated

and the time when you took the receipts for bonds just shown to the Commission; if so, what was the difference in the marked value of the bonds when hypothecated and when you got the said receipts?

Ans. I think they had depreciated. I think the difference was ten per cent. or more on the face of the bonds.

Ques. 15. How or in what way was that loss settled, as you have receipts for the same number of bonds?

Ans. I paid the loss out of my own means.

In answer to question 8, I said the money raised from hypothecation of bonds was used to redeem the bonds. I wish to explain: The object of hypothecating the bonds was to raise money or a margin, for the purpose of purchasing bonds in the market, to sustain and keep up the price of bonds. I, with others, went into the purchase as well to sustain the credit of the State as to make money by the purchases, thinking the bonds would rise in the market. It was for that reason that I authorized Utley & Dougherty to hypothecate bonds of the company, placed by me in their hands, and whereby, though I did not receive the money thus raised myself, I obtained a credit with them to purchase such bonds (special tax bonds) as I desired to buy. In other words, they agreed, in brokers' phrase, to "carry" the bonds purchased by me as I might desire, they having in their hands the funds raised by hypothecating the bonds as a fund for their indemnity.

Ques. 16. Have you the settlement which you say was made between yourself and Utley & Dougherty—if not, what has become of it?

Ans. I had it, but have misplaced it. I looked for it yesterday, but did not find it. It may be among some of my papers—I don't know—I mean my private papers in my office.

Ques. 17. Have you derived, or are you, or do you expect to derive any profit, advantage or benefit, directly or indirectly, for yourself or any one else, from the use, sale, hypothecation

or otherwise, of the said bonds received for your company, or any of them—if so, state what, when and in what way?

Ans. I have not and do not expect to, either for myself or any one else.

Ques. 18. Have any funds, arising from the sale or otherwise of said bonds in any manner, been used by you or any one else, in or about your or their private transactions, or business of any kind—if so, how much, how and where?

Ans. They have not, except as I have before stated.

Ques. 19. Have you used any State bonds issued since 1st May, 1865, or the proceeds of any such State bonds, or do you know or have you any information and what, of any such bonds or proceeds having been used by any one, to procure or assist in procuring, the passage of any bill or bills through the Legislature or Convention of this State, if so, state all the facts fully?

Ans. I have never used any such bonds or the proceeds of any such bond or bonds myself, for any such purpose or purposes. Nor do I know or have information from any one (save heresay) of any such bonds or proceeds having been so used by any one else.

A. J. JONES.

Sworn and subscribed before the Commission.

THOMAS BRAGG, *Chairman.*

March 2nd, 1870.

[COPY.]

NEW YORK, Nov., 1869.

Sold for account of A. J. Jones by Criss & Co.,		
\$20,000 N. C. special bonds at 40 cts.,	\$8,000 00	
Less $7\frac{1}{2}$ per cent.,	1,500 00	\$6,500 00
\$10,000 N. C. special bonds at $39\frac{3}{4}$ cts.,	3,975 00	
Less $7\frac{1}{2}$ per cent.,	750 00	3,225 00
		<hr/>
		\$9,725 00
(Signed)	CRISS & CO.	

[COPY.]

Sold for account of Mr. A. J. Jones by Greenleaf, Norris & Co., 66 Exchange Place.		
14,000 North Carolina (new) at 51 cts.,		\$7,140 00
Coupons,		630 00
		<hr/>
		\$6,510 00
Less commission,	\$17 50.	
Tax,	72	
Telegraph,	20 60	
	<hr/>	38 82
		<hr/>
		6,471 18
Cash,		6,391 18
		<hr/>
		\$ 80 00

[COPY.]

Received of A. J. Jones five hundred and sixty-two North Carolina Special Tax Bonds for one thousand dollars each, issued to the Western Railroad, which bonds we hold subject to the order of A. J. Jones.

[Signed,]

UTLEY & DOUGHERTY.

[COPY.]

NEW YORK, Nov. 7, 1869.

This is to certify, that we hold subject to the order of A. J. Jones, President of the Western Railroad Company, N. C., six hundred and ninety-one thousand North Carolina Special Tax Bonds.

[Signed,]

L. P. BAYNE & CO.

RALEIGH, March 10th, 1870.

A. J. JONES is recalled, examined, and says:

I wish to explain my former statements on page four of my examination. I stated therein that I cut off all the coupons from bonds unsold. I wish to say now, that I ordered them to be cut off by Utley & Dougherty, who then held the bonds. I supposed they were all cut off as stated by me. And I stated that I held in my possession, over and above the sum received, of \$30,300.00, coupons to the amount of \$7,650. Upon counting the coupons in my possession, and which I now produce before the commission, I find that I have only two hundred and five coupons, being fifty in number less than I stated, and less that amount on the number of bonds issued to the company and unsold. Whether the coupons were *all*

cut off by Utley & Dougherty, or not, I cannot now say—I supposed so; the coupons I hold were sent to me by them by Express. Since my attention was called to the matter, I have not had time to investigate it. I also produce the twelve bonds which I stated were on deposit with Jones & Lutterloh. It will be seen that they are part of the bonds received from the State Treasurer, and that the coupons produced are also from said bonds. I have not been able to find the settlement which was made with Utley & Dougherty, and which I was asked to produce.

I herewith produce my bank book with Jones & Lutterloh as requested.

I wish, also, to add to what I have said on page seven, and under question fourteen, in order to make my meaning more clear than is there expressed.

I intended to say, and to convey as my meaning, that my primary object was to keep up the price of the bonds, so as to sustain the credit of the State, and, at the same time, not expecting to lose anything. I expected the bonds would go up, if so, I should make something. If otherwise, I expected to make good the loss.

A. J. JONES.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman*.

RALEIGH, March 10, 1870.

The examination of THOMAS S. LUTTERLOH, who says:

Question 1. Where do you reside, and what is your business?

Answer. I reside at Fayetteville, N. C., and am engaged in several kinds of business—buying and selling cotton, naval stores, etc., and am a partner with Thos. J. Jones in a private banking business in said town.

Ques. 2. When or about what time was the said banking business commenced ?

Ans. It was commenced sometime last fall, about the month of September.

Ques. 3. Have you any money in your possession, or in the possession of Jones & Lutterloh, placed with you by A. J. Jones ? if so, state how much.

Ans. We, that is Jones & Lutterloh, have now in our hands the sum of forty-three thousand six hundred and ninety-three dollars and thirteen cents.

Ques. 4. Is that all the money deposited by him ; if not, state what other sum or sums were by him deposited with you ?

Ans. The above is the balance now on hand ; he had deposited more. Of all deposited, he has drawn out the sum of seven thousand five hundred dollars.

Ques. 5. Please state when these deposits were made, and in what amounts ?

Ans. On the 13th of October, 1869, he deposited \$20,893.13 ; January 15th, 1870, he made a further deposit of \$30,300.00.

Ques. 6. To whose credit were these sums placed ?

Ans. To that of A. J. Jones, President of the Western Railroad Company.

Ques 7. On what account were the sums paid out drawn, and to whose order, and for whom ?

Ans. They were drawn out upon the orders of A. J. Jones, payable to J. H. Davis, Treasurer of the company.

Ques. 8. Were the above sums deposited generally with Jones & Lutterloh, or was there any special agreement as to terms of deposit ? if so, state what it was.

Ans. They were deposited generally ; there was no special agreement.

Ques. 9. Were Jones & Lutterloh to pay interest for the use of the money ? if so, at what rate, and for whose benefit ?

Ans. We were not ; we do not pay interest on deposits, unless there is a special agreement so to do.

Ques. 10. Were any State bonds deposited with Jones & Lutterloh by A. J. Jones? if so, when and how many?

Ans. Of my own knowledge I do not know of any. A. J. Jones left a package on special deposit; I don't know what it contained, or whether it is yet in the bank or has been taken out. Our books do not show anything of special deposits.

Ques. 11. What capital was invested, or what is the capital employed in the banking business of Jones & Lutterloh?

Ans. We have no invested capital, nor was any particular sum put into the business. We keep our individual funds on deposit in the bank. Our own deposits together, I think, have been, upon an average, about twelve thousand dollars. Other deposits included, I think the average sum on deposit has been from one hundred to one hundred and twenty-five thousand dollars. We do business on deposits, taking care to keep on hand a sum sufficient to pay the calls of depositors. We make loans to a small extent only. Our chief business is the buying of cotton and naval store bills.

Ques. 12. Are you one of the directors of the Western Railroad Company.

Ans. I am, and have been since the year 1854, or thereabouts.

Ques. 13. Have you used any State bonds, issued since the 1st of May, 1865, or the proceeds of any such State bonds, or do you know, or have you any information, and what, of any such bonds or proceeds having been used by any one, to procure, or assist in procuring, the passage of any bill or bills through the Legislature or Convention of this State? if so, state all the facts fully.

Ans. I have not used any such bonds or proceeds for any such purpose myself, nor do I know of any such bonds or proceeds having been so used by any one else. I have no information on the subject except that of common rumor.

T. S. LUTTERLOH.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman.*

RALEIGH, March 9th, 1870.

The examination of JOHN H. DAVIS, who says :

I am Treasurer and Secretary of the Western Railroad Company and have been so since the 7th of April, 1869.

Ques. 1. Have you received any State bonds issued for on behalf of the said company ?

Ans. I have not. There is no entry on my books of any such bonds received for the company.

Ques. 2. Have you received any money as the proceeds of any such bonds, if so, state how much, of whom and when the same was received by you ?

Ans. I have received money, but can't say it was the proceeds of such bonds. A. J. Jones, President of the company, paid over to me money as follows :

On the 15th November, 1869,	\$2,000 00
“ 29th “ “	800 00
“ 1st December, “	1,000 00
“ 16th “ “	1,500 00
“ 3rd January, 1870,	350 00
“ 14th February, “	1,500 00
“ 5th March, “	350 00
Total,	\$7,500 00

The sums are all credited to A. J. Jones, President, and charged to myself as Treasurer.

Ques. 3. In what way has the said money been disposed of?

Answer. It has all been paid out in and about the ordinary expenses of the road, as my books, which are here present, will show.

Ques. 4. Do you know what disposition has been made of the bonds of the State received from the State Treasurer or any portion thereof?

Ans. I do not. I have never seen one of them. Mr.

Jones was required by the Board to make a full report in writing of all his business transactions relative to railroad bonds, in presence of myself as Treasurer, and Col. Richardson, one of the Directors. This resolution was adopted by the Board, in Raleigh, February 1st, 1870. He made a written report to us about that time. It was not filed, but Mr. Jones had it published in the papers. I remember that he stated he had sold 55 bonds, and that he stated the price at which sold; I cannot state it now. He said he had the money on hand, but did not say where. In that statement he said also he had received a considerable amount for coupons, some thirty odd thousand dollars, I think. He did not say where it was. He also showed to Col. Richardson two receipts for the balance of the bonds in number, held for him in New York, subject to his order.

I do not think he said anything about holding coupons cut from any of the said State bonds. He, about that time, showed me a parcel of coupons and asked me to help him count them. I did so, and think there was one hundred and seventy-four, each for \$30.00. I think they were coupons of North Carolina bonds, but am not positive as to that, nor do I know what company bonds they belonged to.

Ques. 5. How and in what way was the money paid to you by A. J. Jones?

Ans. He always paid me by giving me an order on his brother, T. J. Jones, and he gave me a check on the Banking House of Jones & Lutterloh, of Fayetteville, said to be composed of said T. J. Jones & T. S. Lutterloh.

Ques. 6. Have you used any State bonds issued since the 1st of May, 1865, or the proceeds of any such State bonds, or do you know, or have you any information, and what, of any such bonds or proceeds, having been used by any one, to procure or assist in procuring the passage of any bill or bills through the Legislature or Convention of this State? If so, state all the facts fully.

Ans. I have not used any State bonds or the proceeds of such bonds for any such purpose. Nor do I know of their being so used by any one else. Nor have I any information of the kind, except from common rumor.

Ques. 7. You know the purposes of this investigation. Do you know any thing else material to the same ? if so, state it.

Ans. I know of nothing more.

J. H. DAVIS.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman.*

RALEIGH, March 9th, 1870.

The examination of W. B. RICHARDSON, who says :

Ques. 1. Are you one of the directors of the Western Railroad Company, if so, state how long you have been so ?

Ans. Yes, I am one of the directors appointed on behalf of the State, and have been since the last annual meeting, in the month of April, 1869.

Ques. 2. Did the Board of Directors take any action as to the receiving of the bonds of the State, appropriated by the Legislature to your company at that meeting, or soon after, and as to their disposal or otherwise, if so, what ? state the facts fully.

Ans. At that meeting the amended charter making the appropriation was accepted by the stockholders. My impression is that the directors, soon after, ordered the President, A. J. Jones, to comply with the provisions of the amended charter and receive the bonds. I do not think any resolution, in writing, was adopted by the board, but the matter was talked over in the board, and I think pretty well understood, that the board did not desire a sale of the bonds, unless they could be sold for fifty cents in the dollar, or about that amount.

Ques. 3. Was any resolution adopted by the board subsequently about the sale of the bonds, if so, when and what ?

Ans. Nothing was done or said in the board, so far as I remember, about the sale of the bonds until sometime in January or about the first of February, when the board met in Raleigh. A resolution was passed ordering the president not to sell the bonds at the price bonds were going at. In some few days after the board met again in Raleigh, and passed a resolution leaving it discretionary with the president to sell or not to sell.

Ques. 4. Did Mr. Jones ever make any report to the board of sales of any of said bonds, if so, when?

Ans. Mr. Jones never made any report in writing to the board. At the meeting in January above referred to, he made a verbal statement to the board that he had sold fifty-five bonds in different lots, that they were sold at the stock board. He showed the account of sales, except one, for about five bonds, which he said was among his papers in Fayetteville. The sales seemed, to my best recollection, to have been from 38 to 52 cents. No action was taken as to these sales. Mr. Jones said he would submit a full report of the matter at the annual meeting of the stockholders in April next. He said he had the proceeds on hand, except what he had paid out for the benefit of the company. I think he also said he had deposited the money with Jones & Lutterloh, of Fayetteville. Mr. Lutterloh was present being one of the board, and being referred to by Mr. Jones, said it was so. This is my recollection.

Ques. 5. Was it stated by either of them how much money had been deposited, or was on hand at the time?

Ans. It was not.

Ques. 6. Was any report made to the board as to the bonds unsold, if so what?

Ans. Mr. Jones showed two receipts from New York Houses, (I can't remember their names) for bonds; one was for five hundred and upwards, the other for six hundred and upwards. I can't state the exact numbers. He stated to the board that he had twelve bonds; he did not say where. The twelve and the fifty-five, and those in the said two receipts I

footed up, and found that the total amounted to thirteen hundred and twenty bonds, the number, as I understood, received from the State Treasurer.

Ques. 7. Did Mr. Jones say anything of any money received for coupons? If so, what, and what was the amount, when received, and what he did with it?

Ans. He stated to the board that he had received for coupons about \$34,300, I think. He subsequently told me he was mistaken as to the amount; that it was thirty thousand and some hundred; I think about \$300; I can't state exactly. He did not state when he received it, or what he had done with it, but said to me he was ready to account for it at any time. I do not remember that he made any statement to the board, except that he had received the above amount first named, for coupons. He did not say when he got the money.

Ques. 8. Did Mr. Jones say anything as to having coupons of bonds in addition to the bonds and money of which you have spoken? If so, what amount, and what had he done with them?

Ans. I think he said that he had seven coupons which he had not collected; the amount of them I don't think he stated.

Ques. 9. Did Mr. Jones say to the board or to you, at any time, whether the bonds in his hands had, at any time, been used by pledge, hypothecation or otherwise to raise money?

Ans. Hearing reports about hypothecating bonds, I asked Mr. Jones if he had hypothecated any of ours. His reply was that he held the said receipts for bonds, and showed them to me, and said the bonds were not hypothecated. He was not asked, nor did he at any time say, whether or not they had been before, at any time, hypothecated. This conversation occurred about the end of last year.

Ques. 10. Do you know of any other facts material to this investigation?

Ans. I do not.

W. B. RICHARDSON.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman*.

ATLANTIC, TENNESSEE & OHIO RAILROAD
COMPANY.

Examination of WILLIAM JOHNSTON, President of the Atlantic, Tennessee & Ohio Railroad Company, taken before us in the city of Raleigh, on the 22d day of February, 1870, he being first sworn according to law.

Question 1. Are you President of the Atlantic, Tennessee & Ohio Railroad Company in North Carolina?

Answer. I am.

Ques. 2. We find you charged (by R. Y. McAden, as agent) on the books of the Treasurer of the State, with having received one thousand seven hundred and sixty State bonds for the use of your company, each bond being for one thousand dollars, dated April 1st, 1869, and numbered from one to seventeen hundred and sixty, and received by the agent of said company, Sept. 14th, 1869. Are any of these bonds still in your possession, if so, how many, give their numbers, dates and amounts?

Ans. R. Y. McAden, as agent and attorney for the company received bonds as stated on the books of the State Treasurer, that is, seventeen hundred and sixty, of one thousand dollars each; of these, fifteen hundred and ninety-seven came into my possession—the others, viz: one hundred and sixty-three were reported by said agent, as having been applied by him to effect a compromise of an Injunction issued by Judge Watts against said company and the Treasurer of the State, at the suit of one Robert Kehoe—the object of which was to prevent the delivery of said bonds by the Treasurer of the State, upon a suggestion that the act which authorized them was unconstitutional.

The Injunction order in that case was served upon me as President, I think in August, 1869. Thereupon I employed as counsel R. Y. McAden and K. P. Battle. I had no personal communication with Mr. Kehoe or his counsel at any time

pending said suit, nor since its termination have I had any with them or either of them, in reference thereto, all that was done in conducting the defence was done by my attorneys, or one of them. I gave my attorneys no special instructions for said defence, avowing my own purpose at all times to concede nothing to those who had brought the suit, by way of compromise. About the 15th of September, Mr. McAden, upon returning from Raleigh, brought to me the fifteen hundred and ninety-seven bonds, and reported that he had compromised the suit upon the terms stated above. I do not know to whom the bonds were delivered, or for whose use, or anything else in regard to such settlement than as above stated. I understood that Messrs. Haywood, Fowle and Badger, were attorneys for Mr. Kehoe.

In a day or two after the bonds were brought to Charlotte, at my request Mr. McAden carried them to New York City, where they have remained ever since, with Messrs. Soutter & Co., and Henry Clews & Co., on special deposit for the company. I cannot say what is the exact amount with either party; my impression is that all of them except some two or three hundred are with Henry Clews & Co. I am not able to state the respective *numbers* of the bonds used in the compromise. I have never sold or contracted to sell, or hypothecated said bonds or any part of them, nor has any money been raised upon them by myself, individually or officially, or by any one else, to the best of my information or belief. I speak of course of the fifteen hundred and ninety-seven. The bonds are subject to my order, and are encumbered by no engagement, so far as I know or believe. I have at no time in my life owned a State bond, or had any interest in the purchase or sale of any bonds except as a tax-payer of North Carolina.

Upon hearing this answer read over it occurs to me to add that Mr. McAden gave as a reason for compromising the suit on the terms above, that it would be some time before the motion to dissolve could be heard, and that in the meantime, the price of State bonds was falling so rapidly that it was to

the interest of the company to make some sacrifice in order to realize upon the bonds at an early date and insure the progress of the road.

Ques. 3. Do you know anything about the disposal made of any State Bonds issued to any other railroad company since May 1st, 1865, whether by sale, hypothecation or otherwise?

Ans. I do not. I have not entered into any association or combination whatever in regard to disposal of State bonds.

Ques. 4. Have the bonds in your possession all the capons attached?

Ans. They have, with the exception of the coupon first maturing after delivery, which were cut off and delivered to the Treasurer of the State, on receipt of the bonds.

WILLIAM JOHNSTON.

Sworn and acknowledged before the undersigned, and of the Justice of the Supreme Court of North Carolina, at Raleigh, the 22d day of February, 1870.

ROBERT P. DICK,

Associate Justice of Supreme Court.

RALEIGH, March 3d, 1870.

RUFUS Y. McADEN states, that as agent and attorney of Wm. Johnston, President of the Atlantic, Tennessee and Ohio Railroad Company, he received from the Treasurer of the State, September 14th, 1869, seventeen hundred and sixty State bonds of one thousand dollars each, dated April 1st, 1869.

Ques. 1. Were you the attorney for Mr. Johnston only for the special purpose of receiving those bonds, or had you been employed by him more generally, and if so when and upon what exigency?

Ans. 1. My connection as agent and attorney for Mr. Johnston, as president, commenced at the time when he proposed to have the bill introduced which authorized the issue of

the above bonds. I drafted that bill and came to Raleigh, and used my influence to forward its passage. After its passage I continued to be his attorney and am so still. About the first of July I was informed by Mr. Johnston that an injunction had been served upon him for the purpose of preventing the issue by the State Treasurer of the said bonds, whereupon, at his request, I immediately accompanied him to Raleigh for the purpose of making arrangements to defend the suit. The plaintiff was one Robert C. Kehoe. On reaching Raleigh we consulted with Mr. Kemp P. Battle, as an attorney, and authorized him to see the attorneys of the plaintiff, and endeavor to have the case speeded so that an early decision of the Supreme Court, which was then in session, might be had, as was done in the Chatham Railroad case. In consequence of the information derived from him after such interview, we returned to Charlotte without effecting anything. After a few days we came back to Raleigh, influenced by the downward tendency of the bonds to make another effort to speed the cause. We were then told by Mr. Battle that it was hardly worth while to do any thing of the sort, inasmuch as it was very probable that in the University Railroad case, then pending, the Supreme Court would decide all of that class of bonds to be unconstitutional. We thereupon went back without trying to do any thing. After the decision in the University Railroad case, I had an interview with Mr. Johnston, and was instructed by him, in view of the continued rapid decline in the price of State bonds, to go again to Raleigh and do the best I could in the interest of the company for the settlement of the suit. I did so a few days before the time at which I received the bonds, and on reaching Raleigh I employed Gen. M. S. Littlefield as agent for the company to make the arrangement. I instructed him to compromise the suit and have the injunction dissolved on the best terms that he could. He agreed to do so, and after some three days of negotiation and consideration between himself and other parties, whose names I am not able to give, he reported that the injunction would

be dissolved and the suit dismissed upon the terms that the company would deliver to such parties one hundred and sixty-three of the bonds, which thereupon should be issued by the State Treasurer. I accepted the terms, believing that as a business transaction, it would be better for the company to submit to such terms rather than await the results of a further decline of the bonds. On the next day Gen. Littlefield (as is my impression) brought to me the papers in the cause, and among them was an order therein, purporting to be signed by Judge Watts, and vacating the injunction theretofore issued. These papers upon the same evening were exhibited to the State Treasurer, and thereupon he delivered to me the seventeen hundred and sixty bonds. I delivered to Gen. Littlefield the one hundred and sixty-three bonds required as above. It is my impression that I delivered all of these to him the same night. It may be that only a part of them, say one hundred, were then so delivered, and that the others were delivered to him a few days afterwards in New York city. The coupons due October 1st, 1869, were all cut off and delivered to the State Treasurer before the bonds were issued. By the six o'clock train the next morning I carried the other bonds to Charlotte, and a few days afterwards to New York, where they were deposited with Henry Clews & Co. and Soutter & Co.

Ques. 2. Have any of the bonds not disposed of as above been sold?

Ans. Not to my knowledge.

Ques. 3. Have they been used by hypothecation or otherwise to raise money; if so, when, by whom, to whom and what sum or sums were raised in that way?

Ans. About the 1st October last, all the Railroad Presidents holding special tax bonds were in New York either in person or by agent. I was there as agent of Mr. Johnston, President of Atlantic, Tennessee and Ohio Company. After consultation among them, it was agreed to employ the banking house of Henry Clews & Co. to advance the April and October interest on the special tax bonds in order to protect

the credit of the State—and these bonds, together with those held by the other Railroad Presidents, were deposited with that house as collateral security for such advance—the interest was subsequently paid by the State Treasurer—the bonds were released, and those belonging to the company, of which I was agent, have been ordered to be sent by express to Raleigh, and are now on their way for the purpose of being delivered up to the State Treasurer. I know of no other use to which the said bonds have been applied.

Ques. 4. Are you acquainted with the charges and deductions made in New York upon the sales of North Carolina bonds, say dated 1st April, 1869, with coupon due 1st October, 1869, upon the bond or with such coupon cut off the bond—if so, explain what it is?

Answer. What is called the “stock call” of North Carolina bonds *regular*, is a bond with interest due on the same from 1st July, 1868. If a bond is sold without coupons running from July, 1868, the face value of such missing coupon has to be made good by the seller to the buyer in money, or it is deducted from the price at which sold. To illustrate: a bond for \$1,000 sold, coupons off, up to 1st October, 1869—seventy-five dollars, or $7\frac{1}{2}$ per cent. upon the face of the bond is deducted from the price at which it is sold—and so if sold with coupons off up to 1st April, 1869, $4\frac{1}{2}$ upon the face of the bond is deducted. Bonds are all sold through brokers, who charge a commission of one-eighth of one per cent. upon the face of the bond sold besides taxes.

Ques. 5. Do you know, if so state it, what disposition was made of the bonds delivered to M. S. Littlefield by you?

Ans. I do not know anything of my own knowledge—I did not ask Littlefield and he never told me.

Ques. 6. Did you have any interview with or see at any time Mr. Kehoe, the plaintiff in the injunction suit referred to by you, touching the said suit.

Ans. I did not—I never saw Mr. Kehoe—I was told he resided in Newbern.

Ques. 7. Were you ever approached by any one else about a suit for an injunction against the company relative to said bonds, if so, state if any proposal was made, when, what it was and by whom made?

Ans. Some weeks before the injunction was obtained, John T. Deweese spoke to me in Raleigh and said that a bill was about to be filed to prevent the issuing of the bonds—that he could prevent it and would do so if I would pay him five thousand dollars, which I declined to do.

Ques. 8. Have you used any State bonds, issued since the 1st May, 1865, or the proceeds of any such State bonds, or do you know, or have you any information, and what, of any such bonds or proceeds having been used by any one to procure or assist in procuring the passage of any bill or bills through the Legislature or Convention of this State?—if so, state all the facts fully.

Ans. I have not myself used any such bonds, or the proceeds of any such bonds, for the purpose or purposes stated in the question. I have no information as to such use of bonds or proceeds of bonds by any one else, except what has been communicated to me as counsel; and what has been so communicated to me I do not feel at liberty to disclose, and therefore decline to answer that part of the question.

R. Y. McADEN.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman*.

MARCH 5TH, 1870.

RUFUS Y. McADEN, being requested, re-appeared before us, and was further examined as follows:

Ques. 1. To the question whether you knew or had any information of any person or persons having used the bonds of the State, or the proceeds arising from said bonds, for the purpose of procuring or assisting in procuring the passage of any

bill or bills through the Legislature or Convention of this State, you stated that you knew of no one except such between whom and yourself there existed the confidential relation of client and attorney ; now, please state when you were employed as attorney for such person or persons, and for what purpose or purposes you were so employed ?

Ans. Such information as I received was after I was employed as attorney and in that capacity. I was consulted and employed about matters of investigation before the Legislature and the Committee of the Senate.

R. Y. McADEN.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman.*

RALEIGH, March 3d, 1870.

Examination of KEMP P. BATTLE, who says :

Question 1. State whether you were attorney of William Johnston, President of the Atlantic, Tennessee and Ohio Railroad Company, and if so, when the connection commenced ?

Answer. After the passage of the act authorizing the appropriation for the road of that company in the Spring of 1869, Mr. Johnston requested me to attend to the getting his bonds from the State Treasurer, and preparing the bonds to be given by his company to the State in exchange therefor. I prepared the bonds to be given in exchange, had them printed and read the proofs, and from time to time called at the Treasury to see whether the State bonds had been prepared and were ready. I was requested to get them out as soon as possible.

Ques. 2. Were you connected with the suit of Kehoe *vs.* said company and the State Treasurer, in the Superior Court of Wake, if so, state what connection you had with it ?

Ans. 2. My connection with that suit was as follows :

Soon after the Injunction was served upon Mr. Johnston, as I understood, he requested me to see the attorneys of the

plaintiff and ascertain if they would consent to make a case agreed for the Supreme Court, in order to obtain an early decision of the matter. I saw Mr. E. G. Haywood first, who said to me that he was not leading counsel in the case, but Mr. Fowle was, and referred me to him. I afterwards saw Mr. Fowle, and asked him if he would agree to carry the case to the Supreme Court. He declined to make a case agreed for that purpose. I reported the result to Mr. Johnston. I had no further connection with the case or knowledge of it until after the Injunction order was vacated. I was sent for by the Treasurer of the State to his office, when I got there I found Mr. R. Y. McAden there; Sheriff Lee, of Wake county, was also there, and had with him the original papers in said suit. I was asked by the Treasurer, (having before been retained by him as his legal adviser) to examine the papers and advise him whether it was right for him to issue the bonds to the Atlantic, Tennessee & Ohio Railroad Company. I did so, and seeing that the Injunction order before made in the case had been vacated by order of Judge Watts, I advised the Treasurer that he could safely issue the bonds. Mr. McAden then produced a power of attorney from Mr. Johnston to receive the bonds which was examined by me, and found regular. I then left the office—they were cutting the coupons off the bonds when I left. I mean those to fall due 1st October, 1869, which I understood were to be left with the Treasurer. At the ensuing Fall Term of Wake Superior Court, I happened in court, when the case was called. It was suggested by one of the counsel, I think by Mr. Fowle, to me that a decree had better be drawn, making a final disposition of the case which I had heard before had been settled, but I did not know upon what terms; and asked me to draw a decree for that purpose, I did so, showing it to him, he assented to it, and it was filed with the Clerk. It is due to Mr. Fowle that I should say in this connection, I think he believed that I was counsel for the Railroad Company; I had never told him that I was not. I did not then know, nor was I informed until within a few days

since, how or upon what terms the case was settled. I had no other connection with the case, than I have above stated. I never received any fee in the case or the promise of one, and never intended to charge one for services rendered in the matter of this suit.

Ques. 3. Have you used any State bonds issued since 1st May, 1865, or the proceeds of any such State bonds, or do you know or have you any information and what, of any such bonds or proceeds having been used by any one, to procure or assist in procuring, the passage of any bill or bills through the Legislature or Convention of this State, if so, state all the facts fully?

Ans. I have not myself, nor have I any direct knowledge or information of the use of any such bonds or proceeds of bonds, having been used for the purposes stated in the question, by any one else.

KEMP P. BATTLE.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman*.

RALEIGH, March 7th, 1870.

The examination of DANIEL G. FOWLE, who comes before the Commission, and says:

Ques. 1. Our attention has been called to the fact that you were one of plaintiff's attorneys in a suit in the Superior Court of Wake county, in the name of Robert C. Kehoe, against David A. Jenkins, State Treasurer, and the Atlantic, Tennessee and Ohio Railroad Company? If so, please state what connection you had with said suit, how the same was settled, and upon what terms, and when, all the facts connected with the institution of the said suit, and its settlement so far as they came to your knowledge.

Ans. About the 20th day of June, 1869, Col. E. G. Haywood informed me that he had been employed to institute a suit, by

John T. Deweese, for the purpose of restraining the State Treasurer from issuing to said Company, the bonds of the State, amounting to two millions, under the act of the General Assembly; that he desired the assistance of myself and R. C. Badger, composing the law firm of Fowle & Badger. He represented that Deweese alleged, that a compact entered into by said company or some of its officers, in which he was interested, had been violated, and on that account he intended to prosecute the suit against the said company, and that if a bill could be filed restraining the issuing of the bonds, upon the ground of the unconstitutionality of the act, and could be sustained, he would see that good fees were paid. After hearing the statement, I consented to act as associate counsel. After examination, we concluded, that upon the statement of facts, as they were afterwards set out in the bill that was filed in the office of the Clerk of the Superior Court of Wake county, on the 25th June, 1869, the case fell under the decision of our Superior Court, in the case of Galloway *vs.* the Chatham Railroad Company, and others. The bill was accordingly filed. The plaintiff in the same, R. C. Kehoe, was suggested by Jno. T. Deweese. As the professed object of the suit was to test the constitutionality of the bonds, I made no direct inquiry as to the contract, the breach of which was suggested to me as the foundation of the action of Deweese in the matter. Although I had no direct information, I had a very decided impression what the contract was. It was, that Deweese and others had contracted to purchase of the company its two millions of bonds at the price for which they were selling in New York on a certain specified day; that on that day the bonds were down in the market, and the company refused to comply at that price, the bonds having afterwards risen in value. This impression which I have now reason to believe was erroneous, may have been made by the fact communicated to me in regard to a contract of like character, entered into with another railroad company, by Deweese and others. At the institution of the suit, I believed it to be *bona fide*. I

heard no intimation that it was intended to force the said railroad company to part with any portion of its bonds, and I had no expectation of receiving a fee for my services, except in cash from Deweese. Sometime in July, 1869—I think about the 16th—I was informed by Col. Haywood, that the railroad company was endeavoring to compromise the suit, but that our client was unwilling to dismiss the proceedings, unless he was compensated for the breach of contract, and our fees paid; and that as he intended to pay us liberally, and the company offered bonds, it would take to do this at the then market rate, at least seventy-five bonds of the denomination of \$1,000 each. The company offered fifty bonds which was declined, and the negotiation ceased. About this time Mr. K. P. Rattle, the attorney of the railroad company, came to see me, about expediting the trial of the cause, the answer of the defendants had not then been filed. I stated to him that if the company took issue with us in regard to the facts stated in the bill, the proceedings might be pending for some time, as it would be incumbent upon us to summon witnesses in Iredell and other counties, to show that the road was a new road. I then suggested to Mr. Battle that he should demur to the bill, but it was said that would not suit the company, as the demurer would admit the facts in the bill and the injunction would be sustained. There was consequently no agreement as to the disposal of the case. I was in New York about from 25th July to about the 13th August. Whilst there, it was suggested to me for the first time, that the object of this suit was for the purpose of levying “black mail” upon the railroad company. I determined at once, and so expressed myself at the time, to enquire into the matter upon return to North Carolina, and in case I was satisfied there was any foundation for the charge, that I would retire from the further prosecution of the case. Immediately, upon my return home, I brought the matter to the attention of my partner, Mr. Badger, and Col. Haywood, and received from Col. Haywood, who was leading counsel in the cause, the assurance that he

had not the slightest reason to believe that the suit was instituted for improper purpose, but, on the contrary, it was *bona fide* instituted, to declare the act of the Legislature unconstitutional, and that Deweese wished the matter prosecuted, because of the injustice he had received at the hands of the company; but that, for my satisfaction, he would write to Deweese about the matter. About two weeks afterwards he informed me that he had received a letter from Deweese, denying in very strong language, that the statements made to me in New York were true. After this express denial, I did not feel myself at liberty to retire from the suit, without some fact being brought to my knowledge inconsistent with the statements of Deweese. I will state further, that during the whole pendency of the litigation, I never had any conference with Deweese or with Kehoe, nor received a letter from them or either of them. About the 12th September, 1869, at the request of Col. Haywood, I accompanied him to his office, and there met T. F. Lee. Col. Haywood informed me that Mr. Lee had brought to him an offer of compromise of the suit, from R. Y. McAden, one of the directors of the company, and acting as its attorney. I replied at once that I was opposed to any compromise of the suit, and that it must be decided in the court house. Mr. Lee inquired the reason of my opposition. I told him because I understood it had been charged by some of the officers of the company, that the suit was instituted for "black mailing" purposes. Mr. Lee said he thought there was some mistake about it, and said he would see Mr. McAden. He retired, and shortly after returned, and said he was authorized by Mr. McAden to state that any charge of *mala fides*, (at least that was the substance,) was disavowed, and that he, McAden, was prepared to give a written statement to that effect if required. I replied to Mr. Lee that I cared nothing about any written statement; that all I wanted was to be sure that there was nothing wrong about the suit, and that I supposed that I ought to be satisfied with the assurances of the defendants' agent, as they corroborated those of Deweese; that my oppo-

sition to the compromise was withdrawn. The suit was compromised, upon the railroad company agreeing to deliver to the plaintiff seventy-five bonds, of the denomination of \$1,000 each. The bonds were delivered next evening to Col. Haywood and myself; we counted them and found there were seventy-seven of them, and inquired of Mr. Lee how it happened that two more bonds than agreed were sent, and were informed that they were put in to compensate for coupons due 1st October, 1869, which had been cut off. I received sixteen of the bonds, eight of which I retained for myself, and the other eight I handed to my partner, Mr. Badger. Col. Haywood retained in his possession the others, sixty-one in number. I have never had in my possession, or under my control, any of said bonds except the sixteen referred to. When I received the bonds for my fee, I considered my title to them as good as that to any other property belonging to me. I sent my eight bonds to New York for sale. Upon these being offered, I found they would not bring the full price of North Carolina special tax bonds. In a short time I understood it was again charged that the suit in which they were received as a fee, had been instituted for an improper purpose.

My partner, Mr. Badger, and myself, consulted together and resolved that we would not part with our bonds so long as any cloud rested upon them. We could have sold them in September for 40 cents in the dollar. Since that time I have received several offers for them at lower rates, but our purpose was fixed that they should not leave our possession whilst there was any doubt as to the propriety of their transfer to us. With this view I gave John G. Williams, Esq., President of the State National Bank, Raleigh, an order upon my agent in New York, for my bonds, on the 13th October, 1869, and the bonds were delivered to him by my agent, and are still in his possession, and are held subject to any just claim or demand on the part of the said railroad company or the State of North Carolina.

Ques. 2. State if you know what became of the other sixty-one bonds left in the hands of Col. Haywood?

Ans. I have no knowledge as to the manner in which they were disposed of.

Ques. 3. Were you aware when the suit was compromised that other bonds were to be paid to any one than those named by you?

Ans. I never heard of any but the seventy-seven until the day when I understood Col. Johnston was examined before this commission.

Ques. 4. Have you used any State bonds issued since the 1st May, 1865, or the proceeds of any such State bonds; or do you know, or have you any information, and what, of any such bonds or proceeds having been used by any one, to procure or assist in procuring the passage of any bill or bills through the Legislature or Convention of this State? If so, state all the facts fully.

Ans. I have used none myself and know nothing about any having been so used by any one else.

DANIEL G. FOWLE.

Sworn and subscribed before the Commission,

THOMAS BRAGG, *Chairman.*

RALEIGH, March 8th, 1870.

I desire to make a slight correction in the above on page 6, line 2*. In saying that Mr. McAden was one of the directors of the company, I should have said he was "agent," as I have been since informed. I thought at the time he was a director.

DANIEL G. FOWLE.

Sworn and subscribed before the Commission.

THOMAS BRAGG, *Chairman.*

*Manuscript referred to.

RALEIGH, March 7th, 1870.

The examination of T. F. LEE, who says :

Ques. 1. State what you know, if anything, touching the compromise and settlement of a certain suit in the Superior Court of Wake, in the name of Robert C. Kehoe against David A. Jenkins, State Treasurer, and the Atlantic, Tennessee and Ohio Railroad company, and your agency, if any, in the said matter?

Ans. A day or two before the matter was settled General Littlefield spoke to me about the said suit and asked me to see plaintiff's attorneys and learn what compromise could be made in regard to lifting the injunction. I soon after saw Mr. R. C. Badger, who said he was junior counsel, and referred me to Mr. E. G. Haywood, as principal counsel in the case. I then saw Mr. Haywood and desired him to inform me upon what terms it could be settled. He replied for one hundred of the bonds to be issued to the said company.

I then returned and saw General Littlefield, and told him the terms, who said that he could not comply with the terms, or words to that effect, but he would see Mr. McAden and give me an answer in regard to it. I think on the next day I received a note from General Littlefield, saying he would give seventy-five of the bonds, and if that was declined, the offer should be final, and I need take no further action in the matter.

I then returned to Mr. Haywood and delivered General Littlefield's answer, and he said he would consult with Fowle & Badger and give me an answer that evening.

That evening I met Mr. Haywood and Mr. Fowle at Mr. Haywood's office. I do not remember whether Mr. Badger was present or not. Mr. Haywood informed me they had concluded to accept the seventy-five bonds and lift the injunction, and were to have all the papers ready the next evening. I then informed General Littlefield of the arrangement, who said he would be ready when they had the papers ready.

I think it was on the next evening Mr. Haywood handed me the papers (they were the whole papers in the case), with authority to receive the seventy-five bonds. I then went to the Treasurer's office, where I found Mr. McAden and General Littlefield, or they came in soon afterwards. Mr. K. P. Battle was sent for by the Treasurer to examine the papers. He came, examined the papers, pronounced them correct, and the Treasurer delivered over the bonds to Mr. McAden. On the same evening General Littlefield, at his room at the Yarborough house, handed to me seventy-five of the bonds when, perceiving that one coupon had been cut off each bond, I demanded three more bonds to make up the amount of said coupons cut off. He refused to give these, as it was more than the amount of coupons cut off, but handed me two bonds, which I accepted. I then took the seventy-seven bonds and carried them to Mr. Haywood's office and delivered them to him. Mr. Fowle was present at the time.

Ques. 2. Did you get any of the said bonds, or any of those received from the Treasurer; if so, how many, when, of whom, what for, and what was done with them?

Ans. I got none of those delivered to Mr. Haywood. There was no specified agreement as to paying me for my services. General Littlefield said to me if the matter was accomplished, I should not be any thing the loser by it. I went to his room at the Yarborough House the next morning; he was there some time while I was in the room; he went out. I found a package on the bureau directed to me. I took it; I examined it there; found ten bonds, each for \$1,000, and put them in my pocket. They were the bonds issued to the Atlantic, Tennessee & Ohio Railroad Company. I sent the bonds for sale to the house of Fuller, Treat & Cox, of the city of New York. They advanced on them the sum of fifteen hundred dollars, which I received. This is all I got. The house failed and I got nothing more. Gen. Littlefield, as I understood from

him, was going away by that morning's train. He said nothing to me, that I remember, about any bonds.

T. F. LEE.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman.*

RALEIGH, March 10th, 1870.

T. F. LEE, re-called and examined, says :

Ques. 1. You stated upon your former examination, that you received ten of the bonds of the State, issued to the Atlantic, Tennessee & Ohio Railroad Company, and that you sent the same to New York for sale. State whether then or at any time you sent any other of the bonds issued to the said company, to New York for sale, or any other purpose, if so, how many ?

Ans. I sent no other of said bonds to New York than as stated by me.

Ques. 2. Did you, at any time, have any other of said bonds in your possession ; if so, when and where, and for what purpose ?

Ans. I did have five other of said bonds in my possession in Raleigh, some eight or ten days after the settlement of the suit, to which I have referred. They were placed in my hands to negotiate the sale of them.

Ques. 3. How did these bonds come into your hands ; from whom, as whose property, and what was done with them ?

Ans. I received a note from Judge Samuel W. Watts, saying that Col. Deweese was in his debt \$2,000, or words about to that effect, and that he, Deweese, had left word with Col. Haywood to turn over to him five of the bonds, and directing me to get them from Col. Haywood, and negotiate their sale for him. I either saw Col. Haywood in person, or wrote him a note ; I don't remember which. He sent me the bonds the next day after I received the note by Judge Watts. They

were placed with the others in the banking house of Fuller, Treat & Cox, for sale. As I have stated, they failed and nothing has been realized from their sale.

Ques. 4. Have you the note of Judge Watts; if so, will you produce it?

Ans. I cannot say; I will search for it, and if found, will hand it to the Commission before they report.

Ques. 5. You have stated that the ten bonds received by you were in a package addressed to you. In whose hand writing was that addressed?

Ans. This is what I meant to say: the bonds were about half rolled up, and a piece of paper lying on them, with my name written upon it. I did not notice about the hand writing, and cannot say now whose hand writing it was.

T. F. LEE.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Charman.*

RALEIGH, March 10, 1870.

The examination of WM. F. ASKEW, who says:

Question 1. Did you ever have in possession, or in that of any one for you, any of the bonds of the State of North Carolina, issued, or purporting to have been issued, to the Atlantic, Tennessee & Ohio Railroad Company? if so, state how many, and of whom you obtained the same?

Ans. I got ten of the said bonds from E. G. Haywood, Esq., who, when he handed them to me, said they were of the bonds issued to that company.

Ques. 2. How, and upon what consideration, if any, did you come to the possession of said bonds?

Ans. There was a suit pending, and an injunction against the issuing of the bonds, as I understood, and Mr. Haywood told me if I would write to McAden, and get a settlement of the matter, he would make it my interest to do so. I do not

remember the date, but think it was in August or September last. I wrote to McAden at Charlotte a short note, saying in substance for him to come to Raleigh, I thought the suit could be settled. I kept no copy of my note. I received from McAden an answer; I do not know whether I have it now or not; it may be among some of my old papers. It was very short; I think to the effect that he would be down in a few days.

Ques. 3. Do you know whether McAden came down, or what was done?

Ans. I did not see Mr. McAden, to my recollection, from the time I wrote the note to him until after the suit was settled.

Ques. 4. Did you have any other agency in the settlement of the suit?

Ans. I did not; I was absent from Raleigh at the time, when, as I understood, the suit was settled.

Ques. 5. About what time were the said bonds handed to you?

Ans. In a week or ten days after the suit was settled, as I understood. I returned to Raleigh, and got the bonds either that day or the next day, to the best of my recollection.

Ques. 6. Were you interested, other than stated by you, in the said suit? Had you any understanding with any other than Mr. Haywood, as to the same, or any profit or benefit to be derived therefrom?

Ans. I was not otherwise interested in the said suit than I have stated. I had nothing to do with commencing it or carrying it on, and did not expect to derive any thing from it, until the matter stated by me was mentioned to me by Mr. Haywood. John T. Deweese did say to me, after the suit was brought, that he had nothing to do with bringing the suit, and requested me to tell Mr. Swepson that he did not bring the suit. He gave me however to understand that if the suit was settled, he would have an interest in it. I never mentioned it to Swepson.

Ques. 7. Do you know what disposition, if any, was made

of any other bonds of said company received by way of compromise, or not so received? if so, state what, and into whose hands they at any time came?

Ans. I have no personal knowledge as to the matter, nothing more than rumor.

Ques. 8. What disposition was made of the bonds received by you?

Ans. I placed the bonds in the State National Bank, Raleigh; they were sent by the bank to New York for sale. I left them in the bank at Raleigh soon after I got them; I think the same day. I don't know when they were sent to New York. The first I heard of them afterwards was, that no sale could be made of them in New York. About three weeks ago—about the time it was ordered that the Railroad Presidents should return the bonds to the Treasurer—I saw Mr. McAden here—(I had told him in New York I had the ten bonds); he told me he wanted some special tax bonds. I told him I could get Mr. Jno. G. Williams' order for the ten I had in New York. He then offered me ten or ten and one cent in the dollar for them. He said they were worthless, but he wanted a certain number; I don't remember now how many, of special tax bonds—that he had a use for them. I agreed to take his offer; he gave a check for the amount to me on the Bank in Charlotte, and I got from Mr. Williams an order for the bonds to be delivered to McAden.

W. F. ASKEW.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman*.

RALEIGH, March 11, 1870.

B. S. GUION states that he is the Chief Engineer of the Wilmington, Charlotte & Rutherford Railroad Company, and has been so since July, 1867.

Ques. 1. Have you ever heard William Sloan say anything, and what, in reference to his having received from any one, and whom, twenty, or any other number of bonds, of the Atlantic, Tennessee & Ohio Railroad Company?

Ans. In Raleigh, in December, 1868, or January, 1869, Dr Sloan mentioned to me that he had been offered a number of the State bonds of that company in case he would withdraw his opposition to the passage of a law authorizing such bonds to be issued. In Charlotte, in September or October, 1869, he told me that he had received the bonds that had been promised to him; I do not recollect the number, or whether he said who had given them; but he added that he had deposited them in some bank in New York, whence he could produce them whenever it might be necessary. The general conversation between us at Charlotte was about a plan which he had signed, subject to the approval of his directors, by which certain railroad presidents had agreed in New York to consolidate the North Carolina State bonds in the hands of a single house for sale; and I gathered from that conversation that Dr. Sloan considered that the transaction in regard to the twenty bonds gave him some power over the party who had delivered them, in regard to the issue from the State treasury of a balance of bonds due to the company of which he was the president, to wit: the Wilmington, Charlotte & Rutherford Railroad Company, which issue, I inferred, he apprehended would be obstructed by the party who delivered them; and I also inferred from the same conversation that he thought that the party who delivered those bonds believed that by so doing he would entangle Dr. Sloan, and thus gain power over him.

B. S. GUION.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman.*

RALEIGH, March 11th, 1870.

Examination of SAML. W. WATTS, who says :

Ques. 1. We learn from our investigations that five bonds of the State of North Carolina, and issued to the Atlantic, Tennessee & Ohio Railroad Company, came to your possession; please state whether such was the fact, and, if so, of whom the said bonds were received, and on what account, how, and when ?

Ans. About the last of November, 1868, I was desirous of making a residence for myself and family at Franklinton. I had not money to spare to pay for it; I applied to Gen. Littlefield for the loan of it; he promised to let me have it, but failed to do so. I was speaking of the matter in the presence of J. T. Deweese, who said I might make the purchase, and he would let me have the money; the sum I wanted was \$2,000. I told him if he would do so, I would insure my life for that sum, and would turn over two of my certificates for my salary for each year, until the sum was paid, which was to be paid in one and two years. I accordingly bought the place in May, 1869, and have until January, 1871, to make all the payments. The title was reserved until the purchase money was paid. I wrote to Mr. Deweese about the purchase, and reminded him that he had promised to advance me money to make the payment. I did not hear from him in reply. Sometime after, I think in the month of July, I saw Mr. Deweese in Salisbury; I mentioned the matter again to him, and, besides pledging my life policy, told him I was willing to convey my interest in the land, by way of mortgage, to secure him. He again promised to let me have the money. About the second week in September, 1869, say from the 7th to the 10th of that month, I saw Mr. Deweese passing Franklinton in the cars. I had, a few days before, received a note from T. F. Lee asking me to come to Raleigh, saying he had some business with me, or something of interest to me, he did not say what. I wrote him that I could not come, owing to

the condition of a member of my family. I think I said to him: "If I have any matter of interest there attend to it for me." He had before attended to other little matters for me. When I saw Mr. Deweese, as I above stated, I inquired of him about the money. He said it was all arranged. I told him I needed money in order to get possession,—a tenant of my vendor being in possession,—and I could get it by purchasing his crop. Mr. Deweese told me that if I would call upon Col. Haywood I could get it. On my way the next week to Johnston Court, I had to stop in Raleigh, over night. I called at the office of the Clerk of the Superior Court the afternoon I got to Raleigh, to deliver some judgments and papers. I saw Mr. Lee at the Court House, and stepped into his office with him. While there he opened his safe and laid on the table a large envelope, saying, "Here is a package for you from Col. Deweese, which Col. Haywood handed to me." I asked him what it was; (I thought it was money.) He said they were North Carolina bonds; my impression is he said there were five; I did not see the bonds, and therefore I can't say, of my own knowledge, whether they were part of those issued to the Atlantic, Tennessee & Ohio Railroad Company or not. We had some conversation about bonds. I told him I knew nothing of their value, nor did I know how to settle with Deweese. Lee said he was going to New York, and would take the bonds there and sell them. I told him to do as he pleased about it. I have never realized any thing from the bonds or ever seen them since. Mr. Lee said the house in whose hands they were placed for sale had failed, and that he had got nothing for them. I will further state, that in the summer of 1868, I had loaned Deweese while canvassing for Congress, the sum of \$400—he owed and yet owes me that money, except about twenty-five dollars which he paid. I have not, since the said bonds were shown to me by T. F. Lee, seen Mr. Deweese, to the best of my recollection, nor have I had any settlement with him. Upon reflection, I think Mr. Deweese afterwards paid me some more money, but the

amount I cannot now state. He also paid my bill at the hotel in Salisbury at the time before spoken of by me. The foregoing is all that I know as to the said bonds.

S. W. WATTS.

Sworn and subscribed before the Commission.

THOS. BRAGG, *Chairman.*

ROOM OF COMMITTEE OF INVESTIGATION,
Capitol, Raleigh, March 10th, 1870.

Ed. Graham Haywood, Esq. :

SIR:—In the course of our investigation, it has appeared to us that sixty-one of the State bonds, issued to the Atlantic, Tennessee & Ohio Railroad Company, came to your hands, among other bonds, in all, seventy-seven, by the hands of T. F. Lee, in settlement of the suit in the Superior Court of Wake, in the name of R. C. Kehoe against David A. Jenkins, State Treasurer, and the said Company.

I am instructed by the Committee to call your attention to this matter, and to say that if you desire to appear before the Committee, an opportunity will be afforded to you to do so at any time between this and 1 P. M., to-morrow. If you desire to appear, we will thank you to indicate the time when you will do so.

Very respectfully,

THOS. BRAGG, *Chairman.*

RALEIGH, N. C., March 11, 1870

Hon. THOS. BRAGG, Chairman, etc. :

SIR:—I have the honor to acknowledge the receipt of your letter of yesterday noon.

All the knowledge which I have on the matters therein

mentioned came to me as Attorney in the cause therein named, and under the seal of professional confidence; and I am, therefore, not at liberty to make any disclosure, even if my health would admit of my attendance on the Committee.

Very respectfully,

Your obedient servant,

ED. GRAHAM HAYWOOD

LEGAL PROCEEDINGS IN THE SUIT OF ROBT. C
KEHOE vs. ATLANTIC, TENNESSEE & OHIO
RAILROAD COMPANY, IN THE COMMITTEE
RAISED BY THE SENATE OF NORTH CARO-
LINA TO MAKE CERTAIN INQUIRIES REGARD-
ING STATE BONDS ISSUED TO RAILROAD
COMPANIES SINCE MAY 1ST, 1865.

By the authority of the Senate, and also by virtue of the
Act of December 14th, 1869 :

Ordered, That the Chairman of the Committee notify John
N. Bunting, Clerk, &c., to be and appear before this Com-
mittee, at their room in the Capitol of the State, in Raleigh,
N. C., upon the 3rd day of March, inst., at 10 o'clock, A. M.,
and thereafter from day to day until discharged, then and
there to answer such questions as may be asked in reference
to the matters before this Committee, and that he bring with
him a duly certified and complete copy of the record in the
case of Robt. C. Kehoe against Atlantic, Tennessee & Ohio
Railroad Company, (by whatever name the said case be known,)
lately pending and determined in the Superior Court of Wake
county, for the use of the Committee in their investigation.

For the Committee.

THOS. BRAGG, *Chairman*.

Raleigh, N. C., March 2nd, 1870.

SUPERIOR COURT, WAKE COUNTY.

ROBT. C. KEHOE, Plaintiff,

Against

DAVID A. JENKINS, Public Treasurer of North Carolina, and the Atlantic, Tennessee & Ohio Railroad Company in North Carolina.	}	Summons.
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The State of North Carolina, to the Sheriff of Wake county—

GREETING :

You are hereby commanded to summon David A. Jenkins,

Public Treasurer of North Carolina, and the Atlantic, Tennessee & Ohio Railroad in North Carolina, the defendants above named, if they be found in your county, to be and appear before the Judge of our Superior Court, to be held for the county of Wake, at the Court House in Raleigh, on the eighth Monday after the second Monday of August, and answer the complaint which will be served herewith; and let the said defendants take notice, that if they fail to answer the said complaint within that time, the plaintiff will apply to the Court for the relief demanded in the complaint. Herein fail not, and of this summons make due return.

Given under my hand and the seal of said Court this 25th day of June, 1869.

(SEAL.)

J. N. BUNTING,

Clerk Superior Court Wake County.

We bind, ourselves, our heirs, &c., to pay unto the defendant in this writ all such damages as may accrue on account of said suit not being prosecuted with effect. Witness our hands and seals the 25th day of June, 1869.

ROBT. C KEHOE, (Seal.)

I. J. YOUNG, (Seal.)

(And on the back of said summons is the following endorsement:)

ROBT. C. KEHOE,

Against

DAVID A. JENKINS, Public Treasurer, and the Atlantic, Tennessee & Ohio Railroad Co., in North Carolina.	}	Summons.
---	---	----------

Returnable to Fall Term, 1869, of the Superior Court of Wake county.

Received June 25th, 1869, served June 25th, 1869, by leaving a copy of this summons, and also a copy of the complaint and order of injunction in this action with David A.

Jenkins, Public Treasurer of North Carolina, other defendant
not found in my county twenty minutes after 4 o'clock.

T. F. LEE,
Sheriff Wake County.

SUPERIOR COURT—WAKE COUNTY.

ROBT. C. KEHOE, Plaintiff,	}	Summons.
<i>Against</i>		
DAVID A. JENKINS, Public Treasurer of North Carolina, and the Atlantic, Tennessee & Ohio Railroad Co., in North Carolina, Defendant.		

The State of North Carolina, to the Sheriff of Mecklenburg
county—GREETING :

You are hereby commanded to summons David A. Jenkins,
Public Treasurer of North Carolina, and the Atlantic, Ten-
nessee & Ohio Railroad in North Carolina, the defendants
above named, if they be found in your county, to be and
appear before the Judge of our Superior Court, to be held for
the county of Wake, at the Court House in Raleigh, on the
eighth Monday after the second Monday of August, and
answer the complaint which is served herewith, and let the
said defendants take notice, that if they fail to answer the said
complaint within that time, the plaintiff will apply to the
court for the relief demanded in the complaint. Herein fail
not, and of this summons make due return.

Given under my hand and seal of said court this 25th day
of June, 1869.

(SEAL.)

J. N. BUNTING,
Clerk Superior Court Wake County.

(And on the back of said summons is the following endorsement:)

ROBT. C. KEHOE,	}	Summons.
<i>Against</i>		
DAVID A. JENKINS, Public Treasurer, and the Atlantic, Tennessee & Ohio Railroad in North Carolina.		

Returnable to Fall Term, 1869, of the Superior Court of Wake county.

Received June 29th, 1869, served June 29th, 1869, by delivering a copy of summons and complaint to Col. William Johnston, President of said railroad company.

R. M. WHITE,
Sheriff Mecklenburg County.

STATE OF NORTH CAROLINA,	{	In the Superior Court of Wake Co., Wake County.
	}	June 25th, 1869.

ROBT. C. KEHOE, Plaintiff,
Against

DAVID A. JENKINS, Public Treasurer of North Carolina, and the Atlantic, Tennessee & Ohio Railroad Company in North Carolina, defendants.

The plaintiff above named complaining of the defendants, above named, on behalf of himself a citizen and resident of North Carolina, and a tax-payer therein, the owner of both real and personal property subject to taxation under the act entitled "An act to amend the charter of Atlantic, Tennessee & Ohio Railroad Company in North Carolina," ratified the 3d day of February, 1869, and all other citizens and tax-payers in the State of North Carolina, affected like him by said

act, who shall in due time come in, and seek relief by, and contribute to the expense of this action alleges :

I. That the said tax-payers are very numerous, to wit : more than one hundred thousand in number, and that some of them are unknown to the plaintiff, and cannot with diligence be ascertained by him, and that it is impossible, therefore, to bring them all before the court in this action, therefore he sues in behalf of them all.

II. That the defendant, David A. Jenkins is the Public Treasurer of North Carolina, and the defendants the Atlantic, Tennessee & Ohio Railroad Company in North Carolina is a corporation duly created by and organized under, and in pursuance of the several acts of the General Assembly of North Carolina, hereinafter described by the respective date of the ratification and the title of each of the said acts.

III. That by a statute and act of the General Assembly of North Carolina, ratified the 15th day of February, 1855, entitled "An act to incorporate the Atlantic, Tennessee & Ohio Railroad Company," a company was authorized to be formed to be called the Atlantic, Tennessee & Ohio Railroad Company, to be used with steam, animal, or other power, between Charlotte, N. C., and some points on the East Tennessee & Virginia Railroad, at or near Jonesboro' in Washington county.

IV. That in and by said Act of Assembly, the said company was to be invested with all the powers and capacities ordinarily incident to a railroad company, and was to be subject to certain regulations and restrictions in said act contained, all of which will more fully and at large appear by reference to said act. A copy of which will be filed as an exhibit, if it be required.

V. That afterwards, to-wit, on the —— day of ——, 1855, at and in the city of Charlotte, in the county of Mecklenburg, in pursuance of said act, such proceedings were had that the Atlantic, Tennessee & Ohio Railroad Company was duly

organized and became, and was, and hitherto hath continued, and now is a body corporate.

VI. That afterwards, by an act of the General Assembly ratified the 23d day of February, 1861, entitled an act to amend the act to incorporate the Atlantic, Tennessee & Ohio Railroad company, ratified the — day of February, 1855," the charter of the said Atlantic, Tennessee & Ohio Railroad Company, was so amended, that the stockholders of the said railroad company that resided within the State of North Carolina, were incorporated under the name of "The Atlantic, Tennessee & Ohio Railroad Company in North Carolina," and the said act empowered the president and directors of the said Atlantic, Tennessee & Ohio Railroad company, being in North Carolina to be an act, as the president and directors of the "Atlantic, Tennessee & Ohio Railroad Company in North Carolina, until their successors should be appointed," and the said act conferred upon the said "Atlantic, Tennessee & Ohio Railroad Company in North Carolina," within the State of North Carolina, all the powers, rights, franchise, and under the same restrictions and regulations as were conferred upon the Atlantic, Tennessee & Ohio Railroad Company, by the act of the General Assembly, heretofore cited, ratified on the 15th day of February, 1855—and the said act of the 23d day of February, 1861, provided that the said corporation of the "Atlantic, Tennessee & Ohio Railroad company in North Carolina" should lease when the said Railroad should be completed to the Tennessee line—as will more largely appear by reference to the said act of General Assembly, a copy of which will be filed herewith marked "Exhibit A"—when acquired in the progress of the cause.

VII. That under and by virtue of the said Act of Assembly ratified the 23rd day of February, 1861, on the — day of March, 1861, at and in the town of Charlotte, N. C., a majority of the stockholders of the Atlantic, Tennessee & Ohio Railroad being present, the said amendment was accepted—and therefore, such proceedings were had that the

defendant, the "Atlantic, Tennessee & Ohio Railroad Company in North Carolina," was duly organized and became, and was, and hath hitherto continued, and now is a body corporate.

VIII. That afterwards, on the 17th day of December, 1862, by an Act of the General Assembly of North Carolina ratified on the said day, entitled "An act to amend the charter of the Atlantic, Tennessee & Ohio Railroad"—the said company was empowered to charge such rate for transportation of passengers and freight as the directors might think proper.

IX. That afterwards, by an act entitled "An act to amend the charter of the Atlantic, Tennessee & Ohio Railroad Company, ratified the 19th day of August, 1868, the said Atlantic, Tennessee & Ohio Railroad Company is authorized and empowered to sell or lease to, or consolidate with either the North Carolina Railroad Company, the Wilmington, Charlotte & Rutherford Railroad Company, or the Charlotte & South Carolina Railroad Company, its road, bed, property, right, privileges and franchises, upon such terms and conditions, as to the parties should seem best, which will more largely appear by reference to the said act, a copy of which will be filed, as an exhibit if required.

X. That all of the aforesaid acts, amendations to the first acts of incorporation mentioned in section III of this complaint, were duly accepted by the said Atlantic, Tennessee & Ohio Railroad Company at the various times, and from time to time before the adoption of the present Constitution of the State of North Carolin—except the last mentioned act in section IX.

XI. That by virtue of the foregoing acts of General Assembly the "Atlantic, Tennessee & Ohio Railroad Company in North Carolina" was a corporation at the time of the adoption of the present Constitution with power to construct a Railroad from Charlotte, N. C., to some point on the East Tennessee & Virginia Railroad, at or near Jonesboro', and

this Plaintiff is informed and believes, and so expressly charges had begun no work, and was not an unfinished road.

XII. That afterwards and subsequent to the adoption of the present Constitution of North Carolina, to-wit: on the 3rd of February, 1869, the General Assembly of the State of North Carolina passed an Act in the following words and figures to-wit:

AN ACT TO AMEND THE CHARTER OF THE ATLANTIC, TENNESSEE & OHIO RAILROAD COMPANY IN NORTH CAROLINA.

SECTION 1. *The General Assembly of North Carolina do enact*, That to enable the Atlantic, Tennessee and Ohio Railroad Company in North Carolina to reconstruct and extend their railroad as is provided in the original charter and amendments thereto, the Public Treasurer is hereby authorized and directed to deliver to the President of said railroad company, the coupon bonds of the State of one thousand dollars each to an amount not exceeding two millions of dollars, signed by the Governor, countersigned by the Public Treasurer, and sealed with the great seal of the State, bearing six per cent. interest, the principal payable at the end of thirty years from the date thereof, and the coupons of interest payable semi-annually, in such form as the Public Treasurer may direct, the principal and interest payable at such times and in such manner as he may prescribe.

SEC. 2. Before the Public Treasurer shall deliver any of the bonds hereby authorized, the President of the said company shall deposit with the Public Treasurer the coupon bonds of the company, signed by him and sealed with the company's seal, for the same amount, and having the same interest and date, the principal and coupons payable at the same time and place as those of the State herein before directed to be issued, and to secure the payment of the principal and interest of the said bonds issued by the said company, the State of North Carolina shall have by this act a lien upon all

the estate and property of every description belonging to the said company, or which the said company may hereafter acquire, together with all the rights, franchises and powers by the charter, the amendment of the same, or any amendment hereafter made; and in case of the failure of said company at any time to pay the interest on their bonds becoming due, or to pay the principal of said bonds after maturity, the Superintendent of Public Works, or the Treasurer, for and in behalf of the State, may enter upon and take possession of the property, rights, franchises and powers hereinbefore specified, and dispose of the same so as to protect the State; and whenever said company shall fail to meet the payment of the interest due on its bonds as prescribed in this act, there shall be and is hereby levied and ordered to be collected an annual tax of one-twentieth of one per cent. upon all taxable property of the State; said tax to be collected as other taxes are or may be collected.

SEC. 3. The said company may, at any time, discharge the whole or any part of the bonds deposited with the Public Treasurer with national currency or coupon bonds of the State.

SEC. 4. The president and directors of said company, and such commissioners as they may designate, shall have power to open books of subscription for stock at such places as they may direct in the counties of Iredell, Alexander, Wilkes, Ashe, Alleghany, Yadkin, Surry, Davie, Forsythe, Stokes, Rowan and Mecklenburg, and at such other places as they in their discretion may direct; and the said commissioners, or a majority of them, shall have power to receive payment for subscription to stock of said company, in lands, money, bonds, stocks or any other property; and in case lands be offered and received in payment for subscription for stock of said company, the said commissioners may provide the mode in which the value of the same may be ascertained and conveyances therefor executed; and they shall also have power to receive mortgages of real and personal estate to secure subscriptions to capital stock.

SEC. 5. That an act amending the charter of the Atlantic, Tennessee & Ohio Railroad Company, ratified the 19th day of August, 1868, is hereby repealed.

SEC. 6. No discrimination shall be made by the Atlantic, Tennessee & Ohio Railroad Company in rates of charges for the conveying of passengers or freights over any point of said road, but the rates charged for freight and travel between intermediate points, and between either terminus and any intermediate point shall be the same *per mile* as the rates charged for travel, or for like classes and qualities of freights over the whole line of said road: *Provided*, That the said company, in addition to the rates *per mile* charged for the carrying of passengers and freights over the whole line of said road, may, for the carrying of passengers and freights of like classes and qualities between intermediate points, and between either terminus and any intermediate point, charge the following and no other: for any distance under twenty-five miles not exceeding fifty per cent.; for any distance over twenty-five and not exceeding fifty miles, not exceeding forty per cent.; for any distance over fifty and not exceeding one hundred miles, not exceeding thirty per cent.; for any distance over one hundred and not exceeding two hundred miles, not exceeding twenty per cent.; and for any distance over two hundred miles, not exceeding ten per cent.; and if any officer or agent of said company shall violate the provisions of this section, any person injured or suffering loss thereby may sue the company or such officer or agent in any court having jurisdiction of the cause, and recover his actual damages and costs, and in addition thereto, shall receive the sum of fifty dollars as liquidation and settled damages.

SEC. 7. Nothing in the foregoing section shall operate to prevent said company from arranging local rates for any distance under twenty-five miles.

SEC. 8. That the gauge of the said railroad shall be the same as the gauge of the Wilmington, Charlotte & Ruther-

ford Railroad, the Western North Carolina Railroad, and the North Carolina Railroad.

SEC. 9. That the interest paid to the State upon the bonds of said Company deposited with the Public Treasurer as provided in section second of this act, shall be applied exclusively to the payment of the interest upon the bonds of the State authorized by this act.

SEC. 10. *Provided*, That on or before the day upon which the first coupon of the bonds authorized to be issued by this act shall become due, the President of the above named railroad company shall pay to the Public Treasurer, either in cash or in matured coupons of bonds upon which the Public Treasurer is made to pay the interest under this act, the sum of sixty thousand dollars; and on or before the day upon which the second coupon of the bonds authorized by this act shall become due, the President of the above named railroad company shall pay in like manner the sum of sixty thousand dollars, and on or before the day upon which the third coupon as aforesaid, shall become due, the President above named shall pay to the Public Treasurer in like manner the sum of forty thousand dollars; and on or before the day on which the fourth coupon as aforesaid shall become due, the President above named shall pay to the Public Treasurer in like manner, the sum of twenty thousand dollars.

SEC. 11. *Provided further*, That of the bonds authorized to be issued under this act, three hundred and sixty thousand dollars shall be retained by the Public Treasurer as collateral security for the faithful performance of the conditions of the preceding section, and that upon the payment of the first sixty thousand dollars as aforesaid, the Public Treasurer shall be authorized to deliver to said railroad company one hundred and twenty thousand dollars of the above named three hundred and sixty thousand dollars of bonds; and upon the payment of the succeeding amounts named in said section, the Public Treasurer is authorized to deliver bonds to the amount

of double the sum paid, until all said bonds are delivered to said railroad company.

Provided, also, That at the expiration of two years from date of the first coupon of the bonds authorized in this act, the Public Treasurer shall be authorized to issue to said railroad company an additional amount of bonds, equal at their par value, to the amount paid in cash by said company in behalf of the State according to the provisions of section tenth of this act; said bonds to be in all respects similar to those authorized to be issued by this act.

SEC. 12. This act shall be in force from and after its ratification, and shall be deemed a public act.

Ratified the 3d day of Februbry, 1869.

JO. W. HOLDEN,

Speaker of the House.

TOD R. CALDWELL,

President of the Senate.

STATE OF NORTH CAROLINA,

OFFICE SECRETARY OF STATE,

Raleigh, June 21st, 1869.

I, Henry J. Menninger, Secretary of State, hereby certify that the foregoing is a true copy of the original act on file in this office.

[SEAL.]

H. J. MENNINGER,

Secretary of State.

XIII. That afterwards, on the —— day of ——, 1869, and before the filing of this complaint, at a meeting of the Stockholders of the said "Atlantic, Tennessee & Ohio Railroad Company, in North Carolina," in the town of Charlotte, N. C., the said last mentioned act was accepted by a majority of the Stockholders of said corporation, and thereupon the President of the said corporation, under the corporate seal, duly certified the fact of such acceptance to the Governor of the State.

XIV. That the tax directed to be levied by the said act last mentioned, to pay the interest upon the bonds of the State, therein directed to be delivered to the President of the said railroad company, together with the taxes previously laid and levied by acts of the General Assembly of the State of North Carolina, ratified and becoming operative and of effect before the date of the ratification of the said act, quoted in section twelve of this complaint,—exceeds the limit of taxation conferred upon the General Assembly of North Carolina by the present Constitution of said State.

XV. That the taxes levied by the acts of the General Assembly previously to the ratification of the said act, quoted in section twelve of this complaint, and which took effect and became operative before the said act was ratified, exhausted and used up the whole power of taxation upon real and personal property, and upon the poll, conferred by the Constitution upon the General Assembly of the State of North Carolina.

XVI. That the plaintiff has been informed, and believes that it is in immediate contemplation by the defendant, David A. Jenkins, the Public Treasurer, to deliver to the said corporation the pretended bonds of the State, to the amount of two millions of dollars, the issuing and delivering of which is attempted to be authorized by the act quoted in section twelve of this complaint.

XVII. That the plaintiff is a citizen and resident of North Carolina, and a tax payer therein; that he is the owner of real and personal property subject to taxation under the act heretofore quoted at length in section twelve of this complaint, and will be seriously damaged and injured by the issuing of the pretended bonds last aforesaid, and the imposition of the tax to pay the same, and the imposition of the tax to pay the interest which may accrue on the same.

Wherefore the plaintiff demands judgment—

1st. That the defendant, David A. Jenkins, Public Treasurer of North Carolina, be restrained by injunction from delivering to the President of the said “Atlantic, Tennessee and

Ohio Railroad Company in North Carolina," any pretended bonds of the State, by virtue of any authority or pretended authority which he claims under the act hereinbefore quoted in section twelve of this complaint; and that each and every the agents, attorneys, servants, and counsellors of the said defendant, David A. Jenkins, be in like manner restrained by injunction.

2d. And that the defendant, the "Atlantic, Tennessee & Ohio Railroad Company in North Carolina," and each and every its officers, servants, attorneys and counsellors be restrained by injunction from accepting any such pretended bonds of the State which may be tendered them by the defendant, the said David A. Jenkins, under the pretended authority of the said act, quoted at large in section twelve of this complaint.

3d. And that the plaintiff have his costs of this action.

FOWLE & BADGER,

ED. GRAHAM HAYWOOD,

Attorneys for Plaintiff.

STATE OF NORTH CAROLINA, }
Wake County. }

Robert C. Kehoe, the plaintiff above named, being duly sworn, says that the foregoing complaint is true to his own knowledge, except as to those matters therein stated on information and belief, and as to those matters he believes it to be true.

ROBERT C. KEHOE.

Sworn and subscribed before me, J. N. Bunting, Clerk of the Superior Court of Wake county, this 25th day of June, 1869.

In testimony whereof, I have hereunto set my hand
[SEAL.] and affixed the Seal of said Court.

J. N. BUNTING, S. C. C.

To David A. Jenkins, Public Treasurer of North Carolina, and the Atlantic, Tennessee & Ohio Railroad Company in North Carolina,

Take notice, that Ed. Graham Haywood is named as the Attorney for the above Plaintiff, and the law office of Ed. Graham Haywood the place where pleadings and notices in this action are to be made.

FOWLE & BADGER,
ED. GRAHAM HAYWOOD,
Attorneys for Plaintiff.

NORTH CAROLINA, } At Chambers,
Wake County. } June 25th, 1869.

ROBERT C. KEHOE, Plaintiff,
Against

DAVID A. JENKINS, Public Treasurer of North Carolina, and the Atlantic, Tennessee & Ohio Railroad Company in North Carolina, Defendants.

It appearing satisfactorily to me upon reading the sworn complaint of the plaintiff in this action, that the said plaintiff is entitled to the order of injunction, as prayed for in the said complaint, on motion of the plaintiff's counsel: It is ordered that the defendant, David A. Jenkins, Public Treasurer of North Carolina and each, and every his agents, attorneys, servants and counsellors do desist and absolutely refrain from delivering to the President of the Atlantic, Tennessee & Ohio Railroad Company in North Carolina, or to any agent, attorney, servant or counsellor of the Atlantic, Tennessee & Ohio Railroad Company in North Carolina, any pretended bonds of the State of North Carolina by virtue of any authority which claims under an act to amend the charter of the

Atlantic, Tennessee & Ohio Railroad Company in North Carolina ratified the 3rd day of February, 1869.

It is further ordered that the defendant, the Atlantic, Tennessee & Ohio Railroad Company in North Carolina, and each and every its officers, attorneys, servants and counsellors do desist and absolutely refrain from accepting any such pretended bonds of the State which may be tendered them by the defendant, David A. Jenkins, Public Treasurer of North Carolina, under authority of the said act until the further order of this Court. And upon the failing by the plaintiff of a written undertaking with sufficient security to be justified before the Superior Court of Wake county, and approved by him in the sum of five thousand dollars to the effect that the plaintiff will pay to the parties enjoined such damages not exceeding that amount as they or either of them may sustain by reason of this injunction, if the Court shall finally decide that the plaintiff is not entitled thereto, and not before.

The Clerk of the Superior Court of Wake county, hereby ordered to open copies of this injunction addressed to the defendants according to law.

S. W. WATTS,
Judge 6th Judicial District.

ROBERT C. KEHOE, Plaintiff,
Against

DAVID A. JENKINS, Public Treasurer of North Carolina and the Atlantic, Tennessee & Ohio Railroad Company in North Carolina, Defendants.

WHEREAS, On the — day of June, 1869, upon reading the sworn complaint in the above entitled action, His Honor, Samuel W. Watts, did direct the Clerk of the Superior Court of Wake county to issue the order of injunction, as prayed for in the complaint, upon and not before the said plaintiff

shall file a written undertaking with good and sufficient security, to be approved of by the said Clerk, in the sum of five thousand dollars, to the effect that the plaintiff should pay to the parties enjoined, such damages as they might sustain by reason of said injunction, if the Court should finally decide that the plaintiff is not entitled thereto.

Now therefore, we, R. C. KEHOE and I. J. YOUNG, undertake, pursuant to the statute, that the said plaintiff will pay to the said David A. Jenkins, Public Treasurer of North Carolina, and the Atlantic, Tennessee and Ohio Railroad Company, in North Carolina, such damages not exceeding five thousand dollars, as he may sustain by reason of the injunction, if the Court shall finally decide that the plaintiff is not entitled thereto.

ROBERT C. KEHOE,
I. J. YOUNG.

NORTH CAROLINA, }
Wake County. }

Robert C. Kehoe and I. J. Young, above named, being severally sworn, say each for himself, that he is worth the sum specified in the above undertaking, over and above all his debts and liabilities and exclusive from property exempt from execution.

J. N. BUNTING,
Clerk Superior Court.

STATE OF NORTH CAROLINA, } Superior Court,
Wake County. } Wake County.

ROBERT C. KEHOE, Plaintiff,

Against

DAVID A. JENKINS, Public Treasurer of North Carolina, and
the Atlantic, Tennessee & Ohio Railroad Company, in North
Carolina.

The defendant, the Atlantic, Tennessee & Ohio Railroad Company in North Carolina, one of the above named defendants, answering the complaint herein :

1. The defendant admits that the allegation set forth in sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13 and 16 of the said complaint are true.

2. The defendant denies the allegation in section eleven, that the said Atlantic, Tennessee & Ohio Railroad was not an unfinished road, and that the said Company had begun no work thereon, within the meaning of the Constitution of North Carolina, and allege that the grading of said road between the city of Charlotte and the town of Statesville, a distance of forty-four miles, had been completed, and the track had been laid and cars run over the same before the adoption of the Constitution of North Carolina.

3. This defendant claims that the tax directed to be levied to pay the interest upon the bonds of the State, directed to be issued to the President of the said road, by the act of the General Assembly set forth in section 12th of said complaint, together with the taxes previously levied by the acts of the General Assembly exceeds the bounds of taxation conferred on the General Assembly of North Carolina, by the present Constitution of the State.

4. This defendant denies that the allegation set forth in section 15th is true.

5. This defendant admits that the plaintiff is a taxpayer,

as alleged in section 17th of said complaint, but denies that he will be damaged or injured by the issuing of said bonds, and the levying of the tax to pay the interest which may accrue on the same.

Wherefore the defendant demands that the injunction heretofore granted in this action be — and dissolved.

R. Y. McADEN, *Attorney*.

NORTH CAROLINA, }
Wake County. }

R. Y. McAden, Attorney for the Atlantic, Tennessee & Ohio Railroad Company, in North Carolina, being duly sworn, says that the foregoing answer is true to his own knowledge, except those matters herein stated on information, and as to those matters he believes them to be true.

R. Y. McADEN, *Attorney*.

Sworn and subscribed before me this 13th day of September, 1869.

[SEAL.]

J. N. BUNTING, C. S. C.

NORTH CAROLINA, } Superior Court, Wake County,
Wake County. } At Chambers, Franklinton, Sep. 13, 1869.

ROBERT C. KEHOE, Plaintiff,	}	Decree vacating the order of Injunction.
<i>Against</i>		
DAVID A. JENKINS, Public Treasurer of the State of North Carolina, and the Atlantic, Tennessee & Ohio Railroad Company in North Carolina, Defendants.		

On reading the answer of the defendant, the Atlantic, Tennessee & Ohio Railroad Company in North Carolina, filed in

this action, and on motion of the said defendant, and after hearing counsel for plaintiff, in opposition :

Ordered, That the injunction granted by me on the 25th day of June, 1869, against David A. Jenkins, Public Treasurer of North Carolina, and the Atlantic, Tennessee & Ohio Railroad Company, in North Carolina, be vacated and dissolved with costs, to abide the result of the action.

S. W. WATTS, *Judge Sup. Court.*

ROBT. C. KEOHE, plaintiff	}	Decree.
<i>Against</i>		
Atlantic, Tennessee & Ohio Railroad Com-		
pany and D. A. JENKINS, Public Treasurer,		
defendants.		

This cause coming on to be heard on the pleadings, it is adjudged,

1. That the Atlantic, Tennessee & Ohio Railroad in North Carolina was at the time of the adoption of the Constitution an unfinished railroad, and that the General Assembly was right under the Constitution to aid in building the same by the issue of bonds of the State in the manner designated in the act of Assembly mentioned in the complaint, and that said act of Assembly authorizing the issue of two million dollars of bonds of the State to said company is, in all respects, in conformity with the provisions of said Constitution.

2. It is adjudged that the complaint in this cause be dismissed with costs, to be taxed by the clerk against the plaintiff and the sureties for the prosecution of this suit.

STATE OF NORTH CAROLINA, }
Wake County. }

I. JOHN N. BUNTING, Clerk of the Superior Court of Wake county, do hereby certify that the foregoing contains a true and complete copy of all the proceeding in the case of R. C. Kehoe against D. A. Jenkins, Public Treasurer of the State of North Carolina, and the Atlantic, Tennessee & Ohio Railroad Company in North Carolina, as appears from the record on file in my office.

In testimony whereof, I have hereunto set my hand
[SEAL.] and affixed the seal of said court, at office in Raleigh, this the 3d day of March, 1870.

J. N. BUNTING,
Clerk Sup. Court, Wake County.

Ordered to be Printed.

JO. W. HOLDEN, State Printer and Binder.

REPORT OF THE SPECIAL COMMITTEE ON THE
SENATE BILL TO PROVIDE FOR CALLING A
STATE CONVENTION.*To the Senate of North Carolina :*

The undersigned, members of the Special Committee, to whom was referred the Senate bill entitled "An act to provide for calling a Convention of the people of North Carolina," would respectfully recommend a favorable consideration of said bill by the General Assembly. A notice of some of the reasons therefor will not be deemed inappropriate.

The circumstances under which our present State Constitution was formed and adopted were such that serious errors and imperfections were almost unavoidable. It was in a time of change and revolution, of social and political chaos, of conflicting interests and opinions, and of general depression and demoralization. Troublesome questions respecting our Federal relations and the rights of the races,—questions now settled,—then convulsed the public mind. The situation was peculiarly unfavorable to the exercise of that sober wisdom so needful in framing a permanent organic law for a great State.

Our changed social condition, as well as the requirements of Congress, made it obligatory on us to alter and remodel some of our old forms, admit new ideas, infuse a new spirit and somewhat modify our ancient customs and usages. This fact we all recognized ; and all would have been satisfactory, if the framers of our new system had simply made such changes

in our old polity as were necessitated by our social revolution and by the enactments of Congress. Then the sturdy old North Carolina character and individuality would have been preserved ; and being reinvigorated, refreshed, and made alive, would have begun a noble developement under new auspices.

But the spirit of innovation carried our Constitution-makers far beyond the necessities of the time and the wishes and requirements of the Federal authorities. Instead of pruning off dead branches, and grafting fresh scions on, they uprooted the tree and planted another in its place. Instead of modifying our system, they destroyed it and imported a wholly novel one. Our present system is not native and indigenous ; it is exotic. It is not the product of the staid, sober, sterling North Carolina mind ; it is the invention of experimenters not well acquainted with the genius of our people. Under it we shall never develope, as we ought to do, into a grand, vigorous new North Carolina, but into an awkward caricature and feeble imitation of other State models. Our growth, like that of a transplanted tree, will be unhealthy, ungraceful, and unfruitful.

A very large portion of our citizens, who voted to ratify our present Constitution, did not approve many of its prominent features. But we were in an anomalous and disagreeable position. A restoration of the State to the Union, and relief from the yoke of military government, were ardently longed for. These happy results were expected to follow a ratification of the Constitution ; so shutting their eyes to its faults, stopping their ears to objections, and preferring *any* form of civil government to military, the majority voted to ratify it, with the general expectation and intention of having it amended soon. The necessity of its amendment is now apparent to a very great majority of the people, without respect to party or race. They desire a constitution more in conformity with their circumstances and their true spirit and character. The people of North Carolina have always been distinguished for the simplicity of their tastes, their frugality and economy, their honesty and integrity, their scorn of empty pretension,

and their sturdy independence. They ought to have a system of internal government in accord with these characteristics ; and this they will have, if they are permitted to come together and make a government for themselves, the true type and embodiment of their own genius, instead of having a government made for them.

It is due our people to declare, and important for our fellow-citizens of the whole Union to understand, that the desire to amend our Constitution proceeds from no purpose or design to annul or abolish those of its features which guarantee the inviolability of the Union, the equal rights of the races, or any of the other legitimate results of the recent war, as embodied in the Congressional plan of reconstruction. All these are regarded here as settled questions. The purpose is only to make such amendments as will secure to the State a system of internal administration that will be simpler, cheaper, more suitable to our situation, and more efficient in promoting the public peace, dispensing public justice, and advancing the material interests of the State.

The grandest mistake in our existing Constitution, and that which of itself would warrant the call of a Convention to remedy it, is the change it has made in our Judicial system. An effective method for dealing out cheap and impartial justice is the very soul of a government. This we once had in North Carolina. But that splendid temple in which such men as Gaston and Ruffin ministered as high priests is in ruins. The people remember and long for it again, like the captive Jews longed for their ruined sanctuary. Shall it not be rebuilt ? From all the land comes up the response—It shall !

Our present Judicial system is a servile copy of that of New York, a State less like ours than almost any other in the Union. New York is densely populated, North Carolina sparsely. New York is full of large towns and cities, and her people are extensively engaged in commercial and maritime pursuits. North Carolina is an agricultural State with a rural people. The New York system was devised upon a model deemed suit-

able to a dense, commercial community; and yet it is well known that it was adopted there through an innovating freak of the Legislature of 1848, without consulting the people, who, if they had understood its true character before it was fixed upon them, would probably have frowned upon it. Many alterations have been found needful in it there; still there is great dissatisfaction with it, and the desire for its total abolishment and a return to the old ways is becoming very general. This costly, cumbersome, impracticable system which New York is seeking to cast off has been imported into North Carolina where it is tenfold more unsuitable, and where it is already regarded, by nearly everybody, as little short of a public nuisance.

The "Code of Civil Procedure" and kindred inventions which we have borrowed from New York, inaugurate a complete revolution in the system of practice and proceeding in Courts, superceding the old common-law methods. Instead of improving the old system, as has been so successfully done in England since 1834, the New York innovators in 1848 destroyed it entirely, and introduced this novelty. Some other States, and finally North Carolina, followed the rash example. Upon the workings of this "Code" in New York, an able treatise was published two years ago by W. H. Greene, of Buffalo, to which inquirers are referred for a description of the enormous confusion which has resulted from it. It would have been abolished there long since but for the fact that the great increase of fees and charges under it has interested so many officials in its perpetuation. This is a strong reason why we should abolish it at once, before it becomes a fixture here through its very evils in opening up avenues to speculation and extortion.

Upon this important subject of the folly of casting aside the common-law forms and substituting novel "Codes" like this, the Supreme Court of the United States has often spoken in strong terms. It is inconvenient to make extensive quotations from its reports, but the Senate will pardon an extract

from the opinion of that Court in the case of *McFaul v. Ramsay*, (20 Howard, 523,) a case coming up from Iowa, a State which has a "Code" very much like our new one. The Supreme Court says:

"The Common Law, which wisely commits the decision of questions of law to a Court supposed to be learned in the law, and the decision of questions of fact to a jury, necessarily requires that the controversy, before being submitted to the tribunal having jurisdiction of it, should be reduced to one or more integral propositions of law or fact; hence it is necessary that the parties should frame their allegations to support respectively the demand or the defence into certain writings called pleadings. * * * The end proposed is to bring the matter of litigation to one or more points, simple and unambiguous. At one time the excessive accuracy required the subtlety of distinctions, * * * The introduction of cumbersome forms * * * had brought the system of special pleading into disrepute. * * * But in modern times it has been trimmed of its excrescences, and the pleadings in every form of common-law action have been reduced to simple, clear and unambiguous forms. * * * This system, matured by the wisdom of ages, founded on principles of truth and sound reason, has been ruthlessly abolished in many of our States, who have *rashly* substituted in its place *the suggestions of sciolists, who invent codes and systems of pleadings to order*. But this attempt to abolish all species and establish a single genus is found to be beyond the power of legislative omnipotence. They cannot compel the human mind not to distinguish between things that differ. The distinction between the two forms of action for two different wrongs, requiring different remedies, lies in the nature of things; it is absolutely inseparable from the correct administration of justice in common law courts.

"The result of these *experiments* * * * has been to destroy the certainty and simplicity of all pleadings, and introduce on the record an endless wrangle in writing, perplexing

to the court, delaying and impeding the administration of justice. In the case of *Randon vs. Toby*, 11 Howard, 517, *

* * a simple action on a promissory note, the pleadings of which, according to common law forms, would not have occupied a page, they were extended to over twenty pages, requiring a two years wrangle * * * before an issue could be formed. * * * In the case of *Bennett vs. Butterworth*, 11 Howard, 667. * * * The court was unable to discover from the pleadings the nature of the action or of the remedy sought. It might, with equal probability, be called an action of debt, or detinue, or replevin, or trover, or trespass, or a bill in chancery. The jury and the court below seemed to have labored under the same perplexity, as the *verdict* was for \$1200, and the *judgment* was for *four negroes*. * * * This court has endeavored to impress the minds of the judges of the District and Circuit Courts of the United States, with the impropriety of permitting these *experimental codes* of pleading and practice to be *inflicted* upon them. In the last mentioned case the Chief Justice, in delivering the opinion of this court, says: 'The Constitution of the United States has recognized the distinction between law and equity, and it *must* be observed in the Federal Courts.'

"In the States where the courts of the United States administer the common law, they cannot adopt these *novel inventions*. * * * We have made these remarks in order that the bar and courts of the United States may make their records conform to these views, and not call upon us to construe new codes and hear special demurrers and pleadings, which are not required to conform to any system founded on reason and experience."

These weighty words from the Supreme Judiciary of the Union are commended to those who reverence profound wisdom and experience, speaking in harmony with the sanctions of the Federal Constitution itself. Shall we in North Carolina listen to these words and root out this new "Code;" or shall we still be led by the nose by one or two freshly imported innovators

far more remarkable for *pertinacity* and *self-assertion* than for *sound sense* or *legal learning*?

The cost of litigation under this "Code" is hugely increased. Formerly a case in a Justice's jurisdiction cost *forty cents*, now *two to five dollars*, perhaps more. In the Superior Courts it is increased in like manner. Fees are doubled and quadrupled in all directions. It is impossible to give details. They are found on nearly every page of the "Code." Some ado has been made about the abolishment of the little old *four* dollar fee of attorneys, and behold, a *fifteen* dollar fee for attorneys is snugly inserted under another name! The people are entitled to know such things, and they must. The purpose, it is argued, of the great admitted increase in costs is to keep down litigation. This really means that instead of granting the people cheap justice, we must frighten them away from the courts by the fear of ruin through costs and charges wantonly imposed. Noble idea! worthy of the "sciolist who invent codes to order!" But all experience shows that litigation is greatly multiplied by such "Codes." A distinguished lawyer, once on our Supreme bench, points to the telling fact that all the decisions, upon *technicalities* strictly, rendered by the Supreme Court of North Carolina in the past seventy-five years, would not fill two volumes, while the same class of decisions in New York, in the last twenty years, would fill fifty volumes. That needs no comment.

Another great error in our judicial system, not yet fully realized here, but profoundly felt in New York and recently changed there, is the shortness of the official terms of the Judges and no prohibition against their being re-elected. A judge for life or a very long term is inspired by the dignity of his vocation, the glory of the ermine, and the ambition to leave after him an honorable fame as a pure, able and learned jurist. These are noble motives and influences, and they have made our judiciary resplendent in the past. But elect your judges for short terms, make them the playthings of the popular breath, and you drag them down from the pinnacle where

justice sits robed in eternal sunshine, into the fog of passion and prejudice, if not of corruption. You, in a manner, compel them to be politicians and therefore partisans, and expose them to evil influences without number. Some will stand firm and remain pure; some will become corrupt, but *all* will be suspected. Those who *deserve* public confidence, will often fail to command it; for multitudes will suspect others of yielding to temptations which themselves would not resist. And popular distrust of the judiciary is an evil only less than a corrupt judiciary itself. Instances are not wanting in North Carolina at this moment to prove this truth. Men forsaking the courts and taking the law into their own hands; private and neighborhood feuds, outrages and violence agitating this Assembly and disturbing the peace of the State, all proceeding from a want of confidence in some of our judicial officers, and this perhaps undeserved. The fault is not so much in the officers, it is in the system, and the evil can only be eradicated by amending our Constitution and returning to our old plan of appointing Judges for life. Perhaps very long terms might do, with ineligibility afterwards.

The expense of the present Judicial system is much greater than that of the old one. Then we had eight Superior, and three Supreme Judges, and their salaries amounted to \$23,100. The whole Department of the Judiciary cost less than \$30,000 a year. Now we have twelve Superior, and five Supreme Judges, whose salaries amount to \$42,500; though the individual salaries of the Supreme Judges stand at the old figure, and are relatively less than those of any other officers. The public Treasurer (see his Report of Feb, 8th 1870) estimates the whole cost of this Department for the current fiscal year at \$54,000. Here then, in this Department, is an *increase* of \$24,000, or more, over the former expense. How many children would this educate who will die in ignorance for the want of it?

But it is said these additional judges are needed because the county courts are no more. But the County Courts cost little

for salaries or fees of officers. They dealt out substantial justice in a plain and simple way. They educated the people in the most common and practical parts of the administration of the law, and gave even illiterate men much useful knowledge of legal forms and proceedings. They were emphatically the people's courts, and the people want them back again. With some slight improvements, no more useful tribunals ever existed in any country. Among other excellences, they constituted the cheapest and most honest system of county government ever devised. Moreover, the great mass of business pertaining to the administration and settlement of estates, to guardianships, to the probate of wills, and the many kindred subjects, was done by these courts, in the easiest and simplest manner, and at very small cost.

Under the present system, exceedingly cumbrous proceedings and forms are required in this latter class of business, so that taking out letters of administration is as troublesome as a superannuated suit in Equity; and the whole matter of estates, wills, deeds, guardianships, partition, dower, and numberless other things, are thrown on the hands of the Superior Court Clerk; and if the *innovators* could have full sway, he would also decide most of the cases in the Superior Court itself. But this last idea is temporarily checked. Nevertheless, as it is, this clerk's office is the grand receptacle of miscellanies,—a curiosity shop,—a farmer's old barrel into which all kinds of plantation tools and old irons and trinkets are tumbled pell-mell. No one man can properly discharge such a variety of duties, in addition to his appropriate duty as Clerk of the Court; and endless confusion will soon show itself in this quarter.

The cost here, in the way of fees and charges, is also immense. This Assembly has just passed an Act making the Superior Court Clerk of one County a salaried officer with a salary of \$5000; for the reason, as was stated on this floor, that the said clerk was receiving in fees an unknown number of thousands—perhaps *twenty* thousand dollars a year. Are the people to endure a system by which ten, fifteen, or twenty

thousand dollars of fees are annually paid to a single County officer? You give a Clerk a salary of \$5000, equal to that of the Governor; but you do not thereby stop the extra amount of fees from coming into his office out of the people's pockets.

From the statements made here while that bill was under debate, it is certain that the eighty-nine Clerks of the Superior Courts receive, on an average, \$4000 a year each; making, for the whole State, the vast sum of \$356,000 annually for this one class of officers. In old times it was scarcely one third as much; and after duly allowing for the former expense of transacting the *extra* work now thrown on these clerks, which used to be done very cheaply by the county courts and otherwise, it is safe to say that the *business now* transacted in the offices of the Superior Court Clerks costs the people at least \$150,000 a year more than the very same matters cost under the old system. True, this is not paid as taxes; but it is paid as fees and charges; and where is the difference! It comes out of the people and forms a part of their burdens.

If we look into the Executive Department, we find several new offices, and a great increase in salaries; so that the cost of this Department for salaries of officers and clerks is nearly three times as great as formerly. The estimates for this Department, during the current fiscal year are placed at \$45,500, by the Public Treasurer. (See his Report of Feb. 8, 1870.) This is an *increase* of \$25,000, or more, over the former expense. And then besides this, there is the swarm of subordinates about the offices and the Capitol and the Capitol grounds, doing nothing or worse than nothing, but costing an immense amount of money; who can tell how much!

How is it in the Legislative Department? The General Assembly meets twice as often as formerly, its mileage and *per diem* are twice as large; and it sits twice as long. The old General Assembly used to cost about \$60,000 biennially, or \$30,000 a year. The present Assembly has *now* sat altogether nearly *nine* continuous months. According to the aforesaid Report of Treasurer Jenkins, this Assembly has cost

the State, since October 1st, 1868, the startling sum of \$288,599.73, and besides this the State owes us now for the last month. This does not include the expense of our first, or Summer Session of 1868. The Treasurer (see his Report) estimates the expense of the Legislative Department, for this current fiscal year alone at \$173,700. This is an *increase* in the annual expense of this Department, over that of old times, of \$143,000, or more.

Besides all this, there is the expense of the Asylums, of elections, of "contingencies," &c., &c., most of these costing immensely over former figures. A reference to the aforesaid Report of the Treasurer will show that the annual cost of the *State* government proper, without paying any interest on our debt, is at least \$300,000 more than under the old system. Look at the following overwhelming figures showing the money used by the present State government since it began in July, 1868; viz:

Surplus in Treasury, July 1, 1868,	\$ 42,164 31
Ordinary State Tax for 1868, (See Report,)	250,726 19
Proceeds of Dividend on N. C. Railroad,	117,600 00
General Fund Tax for 1869, (See Report,)	485,000 00
Deficit now (about)	260,000 00
<hr/>	
Total general fund receipts,	\$1,155,490 00
Deduct amount paid as interest on our old debt	
October 1, 1868,	111,153 00
<hr/>	
Balance,	\$1,044,337 50

The above figures are taken from the Reports of the Treasury itself, and are indisputably correct. And the aforesaid *balance* of \$1,044,337 50 shows the sum which has been expended and incurred, merely in carrying on the machinery of the *State* government *proper* since July 1, 1868, less than twenty months, or one year and two-thirds of another. This is equal

to \$626,600 per year. In 1859 the State government cost \$212,385 78. (See Report of D. W. Courts, Treasurer.) In 1860 it cost considerably less, as the Assembly did not meet in that fiscal year. (See Report of C. H. Brogden, Comptroller.) After making all possible allowances, it is certain that we do not exaggerate when we set down the *increase* in cost of *State* government under \$250,000 a year more than formerly, the present system at \$300,000 a year.

The Treasurer tells us the deficit will amount to \$300,000 by the first of April. He knows not how to raise funds to meet it. Nobody will loan him any thing. He therefore asks us to levy an early crop of spring taxes, 20 cents on the \$100, to be collected by April 15th, 1870. He also proposes an *extra* tax to build the Penitentiary and support the Asylums, to be payable July 15th, 1870, and the tax payer to be charged interest of *one per cent.* for the first month, and *two per cent.* a month afterwards on his tax while it remains unpaid, after July 15th. He also asks us to instruct the Board of Education to loan its moneys to the State; and recommends that the opening of the public schools be postponed. (See his report, Feb. 8, 1870.) These extraordinary propositions show the desperate straits we are in. They truly indicate panic and despair. We thought taxes, and heavy ones, once a year were bad enough. But here is a Spring tax, and a Summer tax, besides the regular Fall tax.

We need a Convention to stop this wild career towards beggary and utter ruin. The way to do it is to amend the Constitution so as to limit salaries and expenses to a *low figure*; limit also *per diem* of the Assembly to *three* or *four* dollars; mileage to five or ten cents; limit the duration of Legislative sessions, and have fewer of them. As it is, the laws are changed so often the people are kept in utter uncertainty and confusion on this subject. It is sometimes objected that a Convention will cost a great deal, But Senators can easily see, from the above figures, that a Convention, by altering our system so as

to reduce salaries and expenditures, would in one year save to the State enough to pay for its own cost three times over.

Let us glance briefly at County and Township matters. Authentic information from one county, about an average one, shows that its Board of Commissioners and other officers cost \$3,500 a year; in the same County the old County Courts, doing more work and doing it better, used to cost \$1,500, a difference of \$2,000 against the new system. Leaving out all other items in the County governments, the above ratio gives an *increase* of \$179,000 annual expense in the eighty-nine Counties. As for the *Townships*, there are over seven hundred of them in the State, and the expense of *governing* each may be safely estimated at not less than \$200 a year. Put down the aggregate at \$140,000, and this is entirely a new expense.

We need a Convention to take proper steps in regard to the State debt. The hopeless tangle we are in on that subject needs no comment.

We need a Convention to amend the Constitution so as to prohibit one person from holding two or more offices at once, a thing only partially prohibited now, and which threatens to grow into a great evil. Many persons are holding a Federal office and a State office also.

We need more stringent guarantees against improvident appropriations of the public money and pledging of the State's credit.

We need clearer and stronger restrictions and limitations upon the rate of taxation, and an uprooting of the present system of special State and County taxes, by which device all barriers are overleaped and the people taxed *ad libitum*.

We need a decrease in the number of offices. The great variety and multiplicity of these not only cost insufferably, but beget a fondness for office-holding, which is growing into a species of insanity all over the country.

But it is impossible to mention *all* the obviously useful and important amendments needed in our present system. We

think this report points out a number which are essential; such are the reform of the present Judicial system, and the abolishment of its pendant—the “Code”; the simplifying of the duties of Superior Court Clerks; the restoration of the County Courts; the remodeling of the county governments, and other matters suggested above. A general reform is needed in *all* departments, with a view to greater *economy*: so that we may perfect our School system, and convert the hundreds of thousands of dollars now wasted on useless officials into a fund for the advancement of the sacred cause of Education.

The estimates and figures embodied in this report, which by no means embrace all the items of expenditure, and which we have tried to set forth without exaggeration, when brought together show the following *increase* of annual expenses, costs, fees and taxes for merely carrying on the *State and County governments* on the present plan, to wit:

State government, increased cost,	\$300,000
Business done in Superior Court Clerk's office, increased cost,	150,000
County Commissioners, &c., extra cost,	179,000
Township governments, new expense,	140,000
<hr/>	
Total <i>increase</i> ,	\$769,000

Such is the vast amount uselessly spent in various ways, and therefore *wasted*, annually, under the present system of internal government in North Carolina. Do we not need a change?

No wonder the State is bankrupt. No wonder the treasury is empty, though a heavy tax has just come in. No wonder the inmates of our Asylums are in danger of actual want. The people groan under their burdens. The Assembly imposes taxes for the State; the County Boards levy taxes; the Township Boards levy taxes. Everybody and everything is taxed, and money pours into the public coffers; but it will scarcely lodge there over night. *Seven hundred and sixty-nine thou-*

and dollars needless increase of annual pay to officials, while the children of both races are growing up ignorant, untutored ; thousands of precious intellectual diamonds destined never to be polished, and the State government only giving them the poor pittance of *fifty cents* a piece annually to get an education with, and the school-houses to build, too !

The people demand a change. Without regard to party or race they demand it. We ought to hear and heed their voice. We cannot, if we would, quench the mighty spirit which is awaking like a ground-swell in the hearts of the masses. We might as well try to imprison a volcano under a half-bushel, or quiet an earthquake with a cradle-song. Let us then grant the people the most effectual remedy for the evils they complain of by calling a Convention to change the present system, and remodel it upon sound principles.

The undersigned would not close this report without earnestly calling upon all sober, thoughtful and moderate men in this Assembly, and outside of it, to unite together. The people are weary of extremes. The time has come, and the hour has struck when men who love North Carolina more than they love *any* party, must strike hands in token of concord, and stand shoulder to shoulder. This is undoubtedly the spirit of the people. Let us respond to it and show ourselves statesmen and not more partisan bigots and fanatics. Let us search and see if we cannot find some solid ground on which all *true North Carolinians* can rally to redeem the State, and start her out on a new career of prosperity and glory, transcending all the past. We have been chastened by misfortune. We are in profound difficulties now. Let us learn wisdom from these lessons and begin a new era. And as the first step in this path, let us allow the people of the State to assemble together in Convention to frame for themselves a true North Carolina government.

In conclusion, it is proper to add that though plainness and

candor have been used in this report, nothing has been said with any purpose to wound the pride or prejudices of any true North Carolinian, either native or adopted. Begging that any seeming warmth may be set down to the account of honest zeal and sincere conviction, this report is

Most respectfully submitted,

WM. M. ROBBINS, Ch'mn.

C. T. MURPHY.

Ordered to be Printed.

JO. W. HOLDEN, State Printer and Binder.

REPORT OF THE COMMITTEE TO INQUIRE INTO
THE MEANS USED TO PASS AN ACT ENTITLED
"AN ACT TO AMEND AN ACT TO INCORPORATE
THE WESTERN NORTH CAROLINA RAILROAD
COMPANY, RATIFIED 15TH FEBRUARY,
1855, AND ALL OTHER ACTS AMENDATORY
THEREOF."

The Committee appointed by the President of the Senate, under the provisions of a resolution ratified the 9th of March, 1870, and entitled "Senate resolution of inquiry of a bill to amend the charter of the Western North Carolina Railroad Company," beg leave to report, That they found the original House Bill and which, it appears from the endorsement, was introduced into the House on the 3rd of April, 1869, but that a figure 9 has been blotted out partially and the 3 written over it. Its endorsement also shows that it passed its 2nd and 3rd readings on the *same* day. There is also endorsed on it "Engrossed April 9th 1869" signed with the initials of Mr. Hort (as is testified by Mr. Hinnant) who was Engrossing Clerk pro tem. The title of the Bill as endorsed on the back is "A Bill to amend an act ratified the 29th of January, 1869." That on the inside is "An act to amend an act to incorporate the Western North Carolina Railroad Company, ratified 15th February 1855 and of all acts amendatory thereof." (of the

Bill is indorsed upon it, Mr. Gatlin's name as the introducer.) No engrossed Bill can be found. The enrolled Bill in the office of the Secretary of State is apparently correct; is signed by the Speaker of the House and by the President pro tem. of the Senate, Mr. Winstead, and bears date April 9th 1869. On the back is the certificate of Drs. Beall and Murphy on the part of the Senate and of Messrs. Hinnant, Hawkins and White of the House, that it is correctly enrolled.

The *printed* Journal of the House shows that a Bill was introduced in the House on April 3rd at the morning session by Mr. Gatlin, entitled "A Bill to amend an act ratified the 29th of January 1869," but it also appears from the printed laws of 1868-'69 that *two* acts were ratified January 29th 1869. On the *same* day under a suspension of the rules this bill so entitled passed its 2d and 3d readings. See pp. 536 and 542, House Journal. The Senate Journal, both printed and manuscript shows that a bill was received in the Senate on the 8th of April, one day before it purports to have been *engrossed* in the House, bearing now the title, "Bill explanatory of an act ratified January 29th, 1869." On the next day, April 9th, the same day of its supposed engrossment in the House it passed its 2d and third readings in the Senate without the yeas and nays being recorded on its third reading or any notice of the rules being suspended to permit it to pass without this formality. See pp. 664 and 665, Senate Journal.

In the afternoon session of the same day (9th of April 1869) the Journal shows that the President pro tem. signed "An act to amend an act to incorporate the Western North Carolina Railroad Company, ratified 15th February, 1855 and of all other acts amendatory thereof." See Senate Journal pp. 675 and 676.

Mr. Gatlin testifies that the original bill is in his handwriting. Did not prepare the bill, and does not know who did. Is not certain, but thinks Col. Tate brought the bill to his attention. Introduced it as a party measure to defeat the efforts of Gov. Caldwell to get an office on the road. It was

designed to get the bill through the House in such a way as not to attract attention to its contents by the title. It was introduced, placed on the calendar, and passed its several readings the same day. If any money was used to procure its passage it is not known to him. Knows nothing of it after its passage in the House.

General Clingman testifies that he did not know anything about the bill, when or by whom it was introduced, or when passed. In fact, he did not know it had been passed or even introduced, until after the adjournment of the Legislature. If any money was paid to procure its introduction or passage he did not know it. That he was consulted confidentially by one person with reference to some bill relating to the subject embraced in this bill, and that he was especially requested to consider the application as a confidential one between a client and his attorney. Such information as was confided to him in that interview he did not feel at liberty to disclose, nor even to mention the name of the applicant.

Dr. Murphy testifies that it is his recollection that he read and examined the bill in connection with some one of the committee. Did not attract his attention. Knew nothing of the bill before it came before him. That it had been agreed in committee that if a bill was signed by two of its members, the others would sign, on their recommendation.

Mr. Hinnant testifies that he signed the enrolled bill. That some one (does not now recollect who) brought the bill to his seat. Insisted that it must be signed, so as to have it introduced in the Senate before adjournment, as it was necessary that it be passed before some Railroad meeting took place. That Gov. Caldwell was anxious for its passage. Signed it without seeing the engrossed bill, but objected to do so.

S. McD. Tate testifies that he thinks Gen. Littlefield showed him the bill; that he recommended some slight changes; spoke to Dr. Ellis about introducing; it was thought the bill could be carried through irregularly and then said he would have nothing to do with it; never paid any member of the

General Assembly, either with money or with money's worth, to get it passed, nor ever offered anything either by insinuation or otherwise; no money has been paid with his knowledge to any one for the purpose of passing the bill.

Gen. Littlefield testifies that believing the stockholders had been wronged he had the bill introduced and believing that the Democrats would vote for it he had Mr. Gatlin to introduce it; intended that it should be passed at the close of the session when bills were passed only by reading the titles; was intended to keep the purport of the bill concealed under its title; recommended that it be ratified before the return of Gov. Caldwell; no knowledge of any manipulation of it; no conversation with the engrossing clerk or any one else respecting it; saw the Speaker of the House sign it in the room of the Capitol Keeper; does not know the handwriting of the House Bill; handed the bill to Mr. Gatlin to introduce it; not one word of truth in the report that \$11,000 were paid to secure its passage; never gave a dollar to any one.

Dr. Beall. That he recollects nothing of the passage of the bill; was called from his seat to see a gentleman in the lobby; found Gen. Littlefield, who introduced himself; said he had an enrolled bill which he wished to have examined; was asked by Gen. L. whether he was Mr. Tate's friend; made the impression on his mind that the matter was agreeable to Mr. Tate; did not sign it then; Mr. Tate was in the city; saw him and learned that it was all right; then examined and signed it; all the other names of the Committee were already on the bill; did not see the engrossed bill; did not know anything of the bill before called on to sign the report of the Enrolling Committee.

The Committee would state that all the witnesses summoned appeared before the Committee and readily answered all questions asked them except Geo. W. Swepson, who first excused himself on the plea of illness, and then on the illness of his wife whom he visited with the promise to report to the Committee on his return to the city, which event has not yet at this time occurred.

The Committee have made frequent but ineffectual attempts to find the original Journals of the House of the session of 1868-'69. They have not been able to compare the printed copy with it.

Respectfully submitted,

G. WM. WELKER.

Ordered to be Printed.

JO. W. HOLDEN, State Printer and Binder.

RULES OF ORDER FOR CONDUCTING THE BUSINESS OF THE SENATE AND HOUSE OF REPRESENTATIVES, AND JOINT RULES FOR CONDUCTING THE BUSINESS OF THE SENATE AND HOUSE.

SENATE RULES OF ORDER.

ORDER OF BUSINESS.

1. The President having taken the Chair at the hour to which the Senate shall have adjourned, and a quorum being present, the Journal of the preceding day shall be read, to the end that any mistakes therein may be corrected.

2. After the reading and approval of the Journal, the order of business shall be as follows :

1. The Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Communications and Reports from State Officers.
6. Messages from the House of Representatives.
7. Notices of Bills.
8. Introduction of Bills.

9. Motions and Resolutions.
10. Unfinished Business of Preceding Day.
11. Special Orders.
12. General Orders; first, bills on third reading; second, bills on second reading; but messages from the Governor and House of Representatives, and communications and reports from State officers, and reports from the Committee on Engrossed bills, may be received under any order of business.

POWERS AND DUTIES OF THE PRESIDENT.

3. The President shall appoint all committees, unless otherwise ordered by the Senate.
4. He shall have the right to name any member to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding, nor shall his power as such substitute continue for a longer period than two days, without leave of the Senate.
5. He shall assign to Door-Keepers their respective duties and stations.
6. He shall certify the passage of bills by the Senate, with the date thereof, together with the fact whether passed as majority, three-fifths or two-thirds bills, as required by the Constitution or laws of this State.

OF THE CLERK.

7. The President and Clerk of the Senate shall see that all bills shall be acted upon by the Senate in the order in which they are reported and stand upon the Calendar, unless otherwise ordered by two-thirds of the Senators present. The Calendar shall also in like manner and form include the number and title of bills and joint resolutions which have passed the House of Representatives and been received by the Senate for concurrence.

8. It shall be the duty of the Clerk to have the documents and bills properly placed upon the files of the President and Senators, in the order of their numbers, and it shall be his duty to see that the mails are punctually delivered.

9. He shall transmit such bills as shall have originated in the Senate and been passed by both Houses, to the Secretary of State, and enter the same on the Journal.

OF THE RIGHTS AND DUTIES OF SENATORS.

10. Every Senator presenting a paper shall endorse the same; if a petition, memorial, or report to the General Assembly, with a brief statement of its subject or contents, adding his name; if a notice or resolution with his name; if a report of a Committee, a statement of such report, with the name of the Committee, and member making the same; if a bill, a statement of its title, with his name, and the fact whether presented on notice, or if by unanimous consent, with a statement of its contents.

11. No member shall speak to another, or otherwise interrupt the business of the Senate, or read any newspaper, while the Journals or public papers are being read; when the President is putting a question, or a division by counting shall be had, no Senator shall walk out of, or across the house, nor when a Senator is speaking, pass between him and the President.

12. Every Senator wishing to speak or debate, or to present a petition or other paper, to give notice, make a motion or report, shall rise from his seat and address the President, and shall not proceed further until recognized by him. No Senator shall speak more than twice the same day on the same subject, without leave of the Senate; and when two or more Senators rise at once, the President shall name the Senator who is first to speak.

13. Every Senator who shall be within the bar of the Senate when a question is stated by the Chair, shall vote thereon,

unless he shall be excused by the Senate, or unless he be directly interested in the question; and the bar of the Senate shall include so much of the body of the Senate Chamber as is within the columns.

Any Senator requesting to be excused from voting may make, either immediately before or after the vote shall have been called, and before the result shall have been announced, a brief statement of the reasons for making such request, and the question shall then be taken without debate.

15. When a motion to adjourn, or for a recess, shall be affirmatively determined, no member or officer shall leave his place till the adjournment or recess shall be declared by the President.

16. Standing Committees, consisting, unless otherwise ordered, of seven members, shall be appointed by the President, on the following subjects:

1. Propositions and Grievances.
2. On Privileges and Elections.
3. On Claims.
4. On Judiciary.
5. On Internal Improvements.
6. On Education.
7. On Military Affairs.
8. On Agriculture, Mechanics and Mining.
9. On Banks and Currency.
10. On Corporations.
11. On Finance.

A Standing Committee on Engrossed Bills, to consist of three Senators, shall be appointed by the President.

17. The Committee on Engrossed Bills shall examine all bills, amendments and resolutions, before they go out of the possession of the Senate, and make report when they find them correctly engrossed; they shall also compare such amendments as may be made in the Senate to bills originating in the House of Representatives, and that are concurred in by the House of Representatives, after they shall have been re-en-

grossed in the House of Representatives, for the purpose of seeing if they are correctly engrossed.

18. Every report of a Committee upon a bill or resolution which shall not be considered at the time of making the same, or laid on the table by a vote of the Senate, shall stand upon the General Orders with the bill or resolution.

OF GENERAL ORDERS AND SPECIAL ORDERS.

19. The matters not referred to any Committee, shall be placed on the list of General Orders, and the business of the General Orders shall be taken up as follows, viz: The Clerk shall announce the title of each bill, with the printed number, or other matter as it shall be reached in its order, when it may be taken up on the motion of any Senator, without the putting of any question therefor; but if not so moved, it shall lose its preference for the day.

20. Any bill or other matter may be made a Special Order for a particular day or hour by a vote of two-thirds of the Senators voting, and if it shall not be completed on that day, it shall retain its place in the General Orders, unless it shall be made a Special Order for another day; and when a Special Order is under consideration, it shall take precedence of any Special Order for a subsequent hour of the same day; but such subsequent Special Order may be taken up immediately after the previous Special Order has been disposed of.

OF BILLS.

21. Every bill shall be introduced by motion for leave or on the report of a Committee, or by message from the House of Representatives, and one day's notice, at least, shall be given of an intended motion for leave to bring in a bill, unless the Senate unanimously order otherwise. Such notice shall state generally the subject matter of such bill.

22. When a bill shall be reported by a committee, and not

otherwise disposed of, the question shall be, "Shall the report be received?" and when the report of such Committee shall be received, and the bill not otherwise disposed of, the bill shall be placed upon the calendar.

23. Every bill shall receive three readings, previous to its being passed, and the President shall give notice at each, whether it be the first, second or third. After the first reading, unless a motion shall be made by some Senator, it shall be the duty of the President to refer the subject matter to an appropriate Committee. No bill shall be amended until it shall have been twice read, and no bill shall be read a third time out of its regular order, nor on the same day on which it passed its second reading, unless on a vote of two-thirds of all the Senators present.

24. The question on the final passage of every bill shall be taken by yeas and nays, which shall be entered on the journal, and unless the bill receive the number of votes required by the Constitution to pass it, it shall be declared lost, except in cases provided for by the 25th rule.

25. If, on taking the final question on a bill, it shall appear that a constitutional quorum is not present, or if the bill require a vote of a certain proportion of all the Senators to pass it, and it appears that such a number is not present, there shall be a call of the House, and if a quorum is ascertained to be present, the bill shall be again read and the final question taken thereon, as provided in the 24th rule.

26. When a question is before the Senate, no motions shall be received, except as herein specified; which motions shall have precedence in the order stated, viz :

1. For an Adjournment or Recess.
2. For the previous Question.
3. To Lay on the Table.
4. To Postpone Indefinitely.
5. To Postpone to a Day Certain.
6. To Commit to a Standing Committee.
7. To commit to a select committee.
8. To amend.

The motions to adjourn and lay on the table shall be decided without debate, and the motion to adjourn shall always be in order when made by a Senator entitled to the floor.

27. The previous question shall be as follows: "Shall the main question be now put?" and until it is decided shall preclude all debate. If this question shall be decided in the affirmative, the "main question" shall be on the passage of the bill, resolution or other matter under consideration; but when amendments are pending the question shall be first taken upon such amendments in their order without further debate. If such question be decided in the negative, the main question shall be considered as remaining under debate.

28. All motions shall be reduced to writing, if desired by the President or any Senator, delivered in at the table, and read by the President or Clerk, before the same shall be debated; but any such motion may be withdrawn at any time before decision or amendment.

29. If any question contain several distinct propositions, it shall be divided by the President, at the request of any Senator: *Provided*, Each sub-division, if left to itself, shall form a substantive proposition.

30. The respective motions to postpone to a day certain, or commit, shall preclude debate on the main question.

31. When a blank is to be filled, and different sums or time shall be proposed, the question shall be first taken on the highest sum and the longest time.

32. When a question has been once put and decided, it shall be in order for any Senator who shall have voted in the majority, to move a reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment or motion, upon which the vote was taken, shall have gone out of the possession of the Senate. No bill or resolution shall be sent from the Senate on the day of its passage, except on the last day of the session or by a vote of two-thirds of the Senators present. Nor shall any motion for reconsideration be in order unless

made on the same day, or the next following legislative day on which the vote proposed to be reconsidered shall have taken place. Nor shall any question be reconsidered more than once.

33. All concurrent resolutions shall lie on the table at least one day.

34. All questions relating to the priority of business shall be decided without debate.

35. When the reading of a paper is called for, except petitions, and the same is objected to by any Senator, it shall be determined by a vote of the Senate, without debate.

36. No remark reflecting personally upon the action of any Senator shall be in order in debate, unless preceded by a motion or resolution of investigation or censure.

37. When a Senator shall be called to order, he shall take his seat until the President shall have determined whether he was in order or not; if decided to be out of order, he shall not proceed without the permission of the Senate, and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator, and if a Senator be called to order for words spoken, the exceptional words shall be immediately taken down in writing, that the President or Senate may be better enabled to judge of the matter.

MISCELLANEOUS.

38. Any Senator introducing a bill to amend a law, shall repeat in said bill, the section as it will stand if the proposed amendment be adopted.

39. No smoking shall be allowed within the Senate Chamber.

40. Senators and visitors shall uncover their heads upon entering the Senate Chamber while the Senate is in session, and shall continue uncovered during their continuance in the Chamber.

41. No Senator or officer of the Senate shall depart the

service of the Senate without leave, or receive pay as a Senator or officer for the time he is so absent.

42. No person other than the Executive and Judicial officers of the State, members and officers of the Senate and House of Representatives, unless on invitation of the President, or by a vote of the Senate, shall be admitted within the bar.

43. No rule of the Senate shall be altered, suspended or rescinded without a vote of a majority of all the Senators elected; and no motion to suspend shall embrace more than one rule, or relate to any other subject than the one specified in said motion.

44. In case a less number than a quorum of the Senate shall convene, they are hereby authorized to send the Door-Keeper, or any other person, for any or all absent Senators, as the majority of Senators present shall determine.

HOUSE RULES OF ORDER.

TOUCHING THE DUTY OF THE SPEAKER.

1. It shall be the duty of the Speaker to invite the pastors of the several Churches of this City, and other preachers of the Gospel, under such arrangements as they may make among themselves, to perform the service of prayer at the opening of the daily sessions of the House.

2. He shall take the Chair every day precisely at the hour to which the House, on the preceding day, adjourned, shall immediately call the members to order, and on the appearance of a quorum, cause the Journal of the preceding day to be read.

3. He shall preserve order and decorum, may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

4. He shall rise to put a question, but may state it sitting.

5. Questions shall be put in this form, namely: "As many as are of the opinion that, (as the question may be,) will say aye," and after the affirmative voice has been expressed, "as many as are of the contrary opinion, will say no." Upon a call for a division, the Speaker shall count; if required, he shall appoint tellers.

6. The Speaker shall examine and correct the Journal before it is read. He shall have a general direction of the Hall. He shall have a right to name any member to perform the duties of the Chair; but such substitution shall not extend beyond three days, except in case of sickness.

7. All Committees shall be appointed by the Speaker, unless otherwise specially ordered by the House.

8. In all elections, the Speaker shall vote. In other cases

he shall not vote, unless the House be equally divided, or unless his vote, if given in the minority, will make the division equal; in case of such equal division, the question shall be lost.

9. All Acts, Addresses and Joint Resolutions shall be signed by the Speaker; and all writs, warrants and subpoenas, issued by order of the House, shall be under his hand and seal, attested by the Clerk.

10. In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker, (or Chairman of the Committee of the Whole,) shall have the power to order the same to be cleared.

11. No persons, except members of the Senate, Officers and Clerks of the two Houses of the General Assembly, Judges of the Supreme and Superior Courts, Officers of the State resident at the seat of government, members of Congress, persons particularly invited by the Speaker or some member, and such gentlemen as have been members of either House of the Legislature, or of the Convention of the people of the State, shall be admitted within the Hall of the House.

12. Reporters wishing to take down debates may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere to effect their object as shall not interfere with the convenience of the House.

ORDER OF BUSINESS OF THE DAY.

13. After the reading of the Journal of the preceding day, the House shall proceed to business in the following order, viz:

1. The receiving of petitions, memorials, and papers addressed either to the General Assembly, or to the House.

2. The reports of Standing Committees.

3. The reports of Select Committees.

4. Resolutions.

5. Bills.

6. Bills, resolutions, petitions, memorials, messages, and

other papers on the table, then the orders of the day ; but motions and messages to elect officers shall always be in order.

14. The unfinished business in which the House was engaged at the last preceding adjournment, shall have preference of orders of the day, and no motion, or any other business shall be received, without special leave of the House, until the former is disposed of. All elections by the House shall be *viva voce*.

ON DECORUM AND DEBATE.

15. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address the Speaker.

16. When the Speaker shall call a member to order, the member shall sit down ; as also he shall when called to order by another member, unless the Speaker decide the point of order in his favor. By leave of the House, a member called to order may clear a matter of fact, or explain, but shall not proceed in debate so long as the decision stands, but by permission of the House. Any member may appeal from the decision of the Chair, and if, upon the appeal, the decision be in favor of the member called to order, he may proceed ; if otherwise, he shall not, except by leave of the House ; and if the case, in the judgment of the House requires it, he shall be liable to its censure.

17. When two or more members rise at the same time, the Speaker shall name the member to speak.

18. No member shall speak more than twice, on the same question, without leave of the House.

19. Whilst the Speaker is putting any question, or addressing the House, no person shall speak, stand up, or walk out or across the House : nor when a member is speaking entertain private discourse, stand up, or pass between him and the Chair.

20. No member shall vote on any question, in the case

where he was not present when the question was put by the Speaker, except by consent of the House. Upon a division, and count of the House on any question, no member without the bar shall be counted.

21. Every member who shall be in the bar of the House when the question is given, shall give his vote, unless the House for special reasons, shall excuse him.

22. When a motion is made and seconded, it shall be stated by the Speaker: or if written, it shall be handed to the Chair, and read alone by the Speaker or Clerk before debated.

23. Every motion shall be reduced to writing, if the Speaker, or any two members, desire it.

24. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in possession of the House, but may be withdrawn before a decision or amendment, except in case of a motion to reconsider, which motion, when made by a member, shall be deemed and taken to be in possession of the House, and shall not be withdrawn without leave of the House.

25. When a question is under debate no motion shall be received but to adjourn, to lay on the table, to postpone indefinitely, to postpone to a certain day, to commit or amend, which several motions shall have precedence in the order they stand arranged; and no motion to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or amend, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition.

26. A motion to adjourn, or lay on the table, shall be decided without debate; and a motion to adjourn shall always be in order except when the House is voting, or some member is speaking.

27. When a question is postponed indefinitely, the same shall not be acted on again during the session.

28. Any member may call for a division of the question when the same shall admit of it, which shall be determined by the Speaker.

29. When a motion has been once made and carried in the

affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, on the same or succeeding day, unless it may have already passed the Senate, and no motion to reconsider shall be taken from the table except by a two-thirds vote.

30. When the reading of a paper is called for, which has been read in the House, and the same is objected to by any member, it shall be determined by a vote of the House.

31. Petitions, memorials, and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place; a brief statement of the contents thereof shall verbally be made by the introducer, and shall not be debated or decided, on the day of their being first read, unless the House shall direct otherwise, but shall lie on the table, to be taken up in the order they were read.

32. When the yeas and nays are called for on any question, it shall be on motion before the question is put, and if seconded by one-fifth of the members present, the question shall be decided by the yeas and nays; and in taking the yeas and nays, or on a call of the House, the names of the members will be taken alphabetically.

33. Decency of speech shall be observed, and personal reflections carefully avoided.

34. Any fifteen members, including the Speaker, shall be authorized to compel the attendance of absent members.

35. No member or officer of the House shall absent himself from the service of the House, without leave, unless from sickness or inability.

36. Any member may excuse himself from serving on any committee at the time of his appointment, if he is a member of two standing committees.

37. If any member shall be necessarily absent on any temporary business of the House, when the vote is taken on any question, upon entering the House, he shall be permitted, on motion, to vote.

38. No standing rule or order shall be reconsidered, or

altered without one day's notice given of the motion thereof; and to sustain such motion, two-thirds of the House shall be required.

39. The members of this House shall uncover their heads upon entering the Hall, whilst the House is in session, and shall continue so uncovered during their continuance in the Hall, except Quakers.

40. The previous question shall be as follows: "Shall the main question be now put?" and until it is decided shall preclude all amendments or debates. If this question shall be decided in the affirmative, the "main question" shall be on the passage of the bill, resolution or other matter under consideration; but when amendments are pending, the question shall be first taken upon such amendments in their order without further debate or amendment. If such question be decided in the negative, the main question shall be considered as remaining under debate: *Provided*, That no one shall move the previous question except the Chairman of a committee, whose report is under consideration, the mover of a resolution or bill, or the author of a minority report.

COMMITTEES.

41. Upon a motion of any member, there shall be a call of the House, a majority of the members present assenting thereto; and upon a call of the House, the names of the members shall be called over by the Clerk, and the absentees noted; after which the names of the absentees shall again be called over. The doors shall then be closed, and those from whom no excuse, or insufficient excuses are made, may, by order of those present, if fifteen in number, be taken into custody as they appear, or may be sent for, and taken into custody, wherever to be found, by special messenger appointed for that purpose.

42. Twelve (12) Standing Committees shall be appointed at the commencement of the session, viz: a Committee on Propo-

sitions and Grievances; a Committee on Claims; a Committee on Privileges and elections; a Committee on Judiciary; a Committee on Internal Improvements; a Committee on Finance; a Committee on Corporations; a Committee on Military Affairs; a Committee on Agriculture, Mechanics and Mining; a Committee on Education; a Committee on Penal Institutions; a Committee on Engrossed Bills; to be appointed by the Speaker, and the first announced on each Committee shall be Chairman. In addition to the above Standing Committees, the Speaker shall appoint another—two members from each Judicial District—to be denominated the Committee on Private Bills.

43. In forming a Committee of the Whole House, the Speaker shall leave the Chair, and a Chairman to preside in Committee shall be appointed by the Speaker.

44. Upon bills committed to a Committee of the whole House, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be last considered; the body of the bill shall not be defaced or interlined; but all amendments, noting the page and line, shall be duly entered by the Clerk, on a separate paper, as the same shall be agreed to by the Committee, and so reported to the House. After report, the bill shall again be subject to be debated and amended by sections, before a question on its passage be taken.

45. All questions, whether in Committee or in the House, shall be propounded in the order in which they were moved.

46. The rules of proceeding in the House shall be observed in a Committee of the whole House, so far as they may be applicable, except the rule limiting the time of speaking and the previous question.

47. In a Committee of the whole House, a motion that the Committee rise shall always be in order, except when a member is speaking, and shall be decided without debate.

ON BILLS, RESOLUTIONS, &c.

48. Every bill shall be introduced by motion for leave, or by order of the House, or on the report of a Committee.

49. Every bill shall receive three several readings in the House previous to its passage, and the Speaker shall give notice at each whether it be its first, second or third. The first reading of a bill shall be for information. If no opposition be made the bill shall go to its second reading without question.

50. Upon the second reading of the bill, the Speaker shall state it as reading for commitment or amendment.

51. The Clerk of the House shall keep a *seperate* calendar of the *public and private bills*, in which they are introduced, *and all bills shall be disposed of in the order they stand upon the calendar, except otherwise specially ordered.* No public bill shall be twice read on the same day, without the concurrence of two-thirds of the members present.

52. All resolutions which may grant money out of the Treasury, or such as shall be of public nature, shall be treated in all respects in a similar manner with public bills.

53. The Clerk of the House shall be deemed to continue in office until another is appointed.

JOINT RULES OF ORDER.

1. Each House shall transmit to the other all papers on which any bill or resolution shall be founded.

2. When a bill or resolution which shall have passed in one House shall be rejected in the other, notice thereof shall be given to the House in which the same may have passed.

3. Messages from one House to the other shall be communicated by their Clerks respectively, unless the House transmitting the message shall specially direct otherwise.

4. It shall be in the power of either House to amend any amendment made by the other to any bill or resolution.

5. In every case of difference between the two Houses upon any subject of legislation, either House may request a conference, and appoint a committee for that purpose, and the other shall also appoint a committee to confer. The committee shall meet at such hour and place as shall be appointed by the Chairman of the Committee on the part of the House requesting such conference. The conferees shall state to each other verbally, or in writing, as either shall choose, the reasons of their respective Houses, and confer freely thereon. The committee shall report in writing, and shall be authorized to report such modifications or amendments as they think advisable. But no Committee on Conference shall consider or report on any matters except those directly at issue between the two Houses. The papers shall be left with the conferees of the House assenting to such conference and they shall present the report of the Committee to their House. When such House shall have acted thereon, they shall transmit the same, and the papers relating thereto, to the other, with a message certifying its action thereon.

6. It shall be in order for either House to recede from any subject matter of difference existing between the two Houses at any time previous to conference, whether the papers on which such difference arose are before the House receding,

formally or informally ; and on such vote to recede, the same number shall be required to constitute a quorum to act thereon, and to assent to such receding, as was required on the original question out of which the difference arose.

7. All Joint Committees of the two Houses, and all Committees of Conference, shall consist of three Senators and five members of the House of Representatives, unless otherwise specially ordered by concurrent resolution.

8. There shall be printed of course, and without order, two hundred and twenty copies of all original bills reported by committees of either House ; and two hundred and twenty copies of all messages from the Governor, all reports of standing or select committees, and all reports or communications made in pursuance of law ; and six hundred and nineteen copies of the Journal of each House, which number shall be denominated the usual number.

9. When the same document shall by separate orders be directed to be printed by both Houses, it shall be regarded as but one order, unless otherwise expressly directed by either House.

10. In the distribution of documents, the Governor and State Officers shall each have the same number as each of the members.

11. The Clerk of each House shall receive from the Public Printer all matter ordered by the respective Houses, and shall keep a book and enter therein the time of reception by him of every such bill or document, and the number of copies received, and shall cause each and any of such bills or documents to be immediately placed upon the desks of the members.

12. The 220 copies of original bills ordered to be printed by section 8, shall be distributed as follows : To the Senate, 70 copies ; to the House of Representatives, 150 copies. The 220 copies of messages from the Governor, reports of committees, and reports or communications made in pursuance of law, ordered to be printed by section 8, shall be distributed as

follows: To the Senate, 70 copies; to the House of Representatives, 150 copies. The 619 copies of the Journal of each House ordered to be printed by section 8, shall be distributed as follows: To the Senate, 70 copies; to the House of Representatives, 150 copies, and there shall be printed to bind 399 copies to be distributed as follows: For the Senate, 50 copies; for the House of Representatives, 120 copies; for the Senate Library, 10 copies; for the House of Representative Library, 10 copies; for the Counties, 89 copies; for States and Territories, 50 copies; for State Library, 10 copies; for State offices, 10 copies. The Clerk of each House shall forthwith, after the Journal thereof of each day is approved, deliver a legible copy thereof to the printer for the two Houses, who shall have the same printed within three days thereafter.

13. There shall be Joint Standing Committees, consisting of three members of the Senate and five members of the House of Representatives, on the following subjects:

1. On Public Buildings and Grounds.
2. On Library.
3. On Deaf, Dumb and Blind Asylum.
4. On Insane Asylum.
5. On Enrolled Bills.
6. On Penal Institutions.
7. On Printing.

